

PLANNING COMMISSION
CITY OF PALM SPRINGS, CALIFORNIA
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California
www.palmspringsca.gov

AGENDA

Wednesday
September 12, 2018



1:30 PM Regular Meeting

Kathy Weremiuk, Chair
Lyndon Calerdine, Vice Chair
Doug Donenfeld
Michael Hirschbein
Doug Hudson
Peter Moruzzi
Dennis Woods

Staff Liaisons:

Flinn Fagg, AICP, Director of Planning Services
William Priest, Attorney
Terri Hintz, Planning Administrative Coordinator
Rick Minjares, Engineering Associate
David Newell, Associate Planner
Edward Robertson, Principal Planner

Pursuant to the Government Code Section 54957.5(b)(2) the designated office for inspection of public records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way. Complete Agenda Packets are available for public inspection at: City Hall, Office of the City Clerk. Agenda and staff reports are available on the City's website: www.palmspringsca.gov. If you would like additional information on any item appearing on this agenda, please contact the Planning Department at (760) 323-8245.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Planning Department, (760) 323-8245, at least 48 hours prior to the meeting, to inform us of your particular needs and to determine if accommodation is feasible.

Planning Commission regular meetings are webcast live on the City's website: www.palmspringsca.gov and PSCTV Channel 17. Meetings are re-broadcast (following the meeting) on Wednesday at 1:30 pm and Sunday at 1:30 pm.

CALL TO ORDER:

ROLL CALL:

REPORT OF POSTING OF AGENDA: Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 6:00 pm on Thursday, September 6, 2018.

ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

PUBLIC COMMENT: This time has been set aside for members of the public to address the Planning Commission on Consent Calendar and other agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Please note that the Planning Commission is prohibited from taking action on items not listed on the posted agenda. Three (3) minutes is allowed for each speaker. Testimony for Public Hearings maybe offered at this time or at the time of the hearing. **MEMBERS OF THE PUBLIC WHO WOULD LIKE TO COMMENT ON ITEMS 1.A, 1.B and 4.A ARE DIRECTED TO COMMENT UNDER THIS PORTION OF THE AGENDA.**

1. **CONSENT CALENDAR:**

The following routine matters may be acted upon by one motion. Individual items may be removed by the Commission for separate discussion at this time.

A. **APPROVAL OF MINUTES: JUNE 27, 2018, JULY 11, 2018, JULY 25, 2018 AND JULY 25, 2018 STUDY SESSION MINUTES.
RECOMMENDATION: APPROVE**

B. **A STATUS REVIEW OF A NURSERY THAT WAS ESTABLISHED IN 2009 (AS "AUNT EFFIE'S GARDENS") AT 2393 NORTH PALM CANYON DRIVE, ZONE C-1, SECTION 3 (CASE 3.3374 MAJ). (DN)
RECOMMENDATION:** Receive status update as required by the conditions of approval and direct staff to file in the case history for the site.

2. **EXCLUDED CONSENT CALENDAR:** Items removed from the Consent Calendar for separate discussion are considered at this time.

3. **PUBLIC HEARINGS:**

A. **J5 INFRASTRUCTURE ON BEHALF OF AT&T MOBILITY FOR A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF TWELVE 8-FOOT TALL PANEL ANTENNAS ON THE ROOF TOP OF AN EXISTING WAREHOUSE BUILDING LOCATED AT 770 SOUTH GENE AUTRY TRAIL, ZONE M-1, SECTION 20. (CASE 5.1438 CUP). (ER) (continued from the JULY 11, 2018 MEETING)**

RECOMMENDATION: Recommend approval to the City Council.

- B. **REQUEST BY RICHARD PANTELE FOR A CONDITIONAL USE PERMIT (CUP) TO OPERATE A CANNABIS MANUFACTURING AND CULTIVATION FACILITY WITHIN FOUR INDUSTRIAL BUILDINGS TOTALING 35,496-SQUARE FEET LOCATED ON THE EAST SIDE OF RUPERT STREET BETWEEN 19TH AND 20TH AVENUES, ZONE M-2, SECTION 33 (CASE 5.1437 CUP)(ER).**

RECOMMENDATION: Approval.

- C. **RADIO PS PROPERTIES, LLC FOR A CONDITIONAL USE PERMIT; ADOPTION OF A MITIGATED NEGATIVE DECLARATION; AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 10,504-SQUARE FOOT CANNABIS CULTIVATION FACILITY LOCATED AT 3573 NORTH ANZA ROAD, ZONE M-1, SECTION 34 (CASE 5.1441 CUP AND 3.4073 MAJ). (GM)**

RECOMMENDATION: Approval

- D. **IDENTITY MUTUAL, LLC, REPRESENTING QUICK QUACK CAR WASH FOR A CONDITIONAL USE PERMIT AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 2,942-SQUARE FOOT AUTOMATIC CAR WASH ON A PAD SITE WITHIN THE PALM SPRINGS MARKETPLACE SHOPPING CENTER LOCATED AT 1717 EAST VISTA CHINO ROAD, ZONE CSC, SECTION 21 (CASE 5.1445 CUP AND 3.4090 MAJ). (GM)**

RECOMMENDATION: Approval

- E. **CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE FOR THE REDEVELOPMENT OF GOLF COURSES (CASE NO. 5.1444 ZTA). (DN) (CONTINUED FROM THE JULY 25, 2018 MEETING).**

RECOMMENDATION: Continue to October 3, 2018 Planning Commission Special Meeting.

- F. **CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO SECTIONS 91.00.10, 93.05.00 AND 94.03.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS (PDD) AND THE REQUIREMENTS FOR PROCESSING PDD APPLICATIONS. (FF) *Continued from the July 11, 2018 Meeting***

RECOMMENDATION: Table the item and re-notice at a later date.

4. **UNFINISHED BUSINESS**

5. **NEW BUSINESS:**

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS: Brief general comments and/or other issues of concern from members of the Planning Commission.

A. **DISCUSSION ON A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE FOR THE TRANSFER OF DEVELOPMENT RIGHTS (CASE NO. 5.1450 ZTA) (DN)**

RECOMMENDATION: Direct staff to prepare a public hearing notice and schedule the ordinance at a special meeting on October 3, 2018.

CITY COUNCIL LIAISON REPORT:

PLANNING DIRECTOR'S REPORT: Update the Planning Commission on important items.

ADJOURNMENT: The Planning Commission will adjourn to 1:30 pm, Wednesday, September 26, 2018, City Hall, Council Chamber, 3200 E. Tahquitz Canyon Way, Palm Springs, California.

Planning Commission Regular

1.A.

Meeting Date: 09/12/2018

Subject

**APPROVAL OF MINUTES: JUNE 27, 2018, JULY 11, 2018, JULY 25, 2018 AND JULY 25, 2018
STUDY SESSION MINUTES.
RECOMMENDATION: APPROVE**

Attachments

6-27-18 Minutes

7-11-18 Minutes

7-25-18 Minutes

7-25-18 PCSS

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
Wednesday, June 27, 2018
Palm Springs Convention Center, 277 N. Avenida Caballeros, Primrose C
Palm Springs, California

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 1:30 pm.

ROLL CALL:

Present: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Vice Chair
Calerdine, Chair Weremiuk

Staff Present: Planning Director Fagg, Attorney Priest, Administrative Secretary
Bruggemans, Engineering Associate Minjares, Associate Planner
Newell

REPORT OF POSTING OF AGENDA: The Agenda was available for public access at the
City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services
counter by 7:00 pm Thursday, June 21, 2018.

ACCEPTANCE OF THE AGENDA:

Donenfeld, seconded by Calerdine to accept the agenda as presented.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

PUBLIC COMMENTS:

*(All public comments were in reference to Item 2B and have been incorporated into the
Public Hearing record.)*

1. CONSENT CALENDAR:

Vice Chair Calerdine noted his abstention on the minutes.

Chair Weremiuk pulled Item 1B for discussion.

Woods, seconded by Hudson to approve minutes.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Weremiuk
ABSTAIN: Calerdine

1A. APPROVAL OF MINUTES: JUNE 13, 2018

Approved, as presented.

1B. PLANNING COMMISSION RESOLUTION OF APPROVAL TO DEFER MAKING APPOINTMENTS TO THE ARCHITECTURAL ADVISORY COMMITTEE WHERE TERMS WERE SET TO EXPIRE ON JUNE 30, 2018.

Chair Weremiuk summarized the Planning Commission's intent to defer the two Architectural Advisory Committee member terms.

Calerdine, seconded by Hudson to approve the resolution as presented.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

2. PUBLIC HEARINGS:

2A. 1466 HOLDINGS, LLC FOR A CONDITIONAL USE PERMIT, MINOR ARCHITECTURAL APPLICATION AND LAND USE PERMIT TO REMODEL THE SKYLARK HOTEL WITH A NEW CAFÉ AND RESTAURANT SPACE AT 1466 NORTH PALM CANYON DRIVE, ZONE C-1 AND R-3 (CASE NOS. 5.1433 CUP, 3.0945 MAA & LUP 18-025). (DN)

Associate Planner Newell presented the proposed remodel as outlined in the staff report.

Chair Weremiuk opened the public hearing:

AMITESH DAMUDAR, applicant, addressed questions from the Commission pertaining to bicycle parking, striping, and sidewalks (cost issue but will look into it); existing windows and ficus, pre-cast concrete.

HUGH GASPAR, provided details on the fencing material and landscape design. He addressed the screening for mechanical equipment and noted that the sign program will come for review in the future.

Commissioner Moruzzi thinks it's an excellent and beautiful project. He's glad they are investing the money into it.

Commissioner Donenfeld, as a neighbor Camino Monte Vista, said this is a vacant street and thinks the additional parking along that street for purposes of the hotel is perfectly reasonable and would not cause any sort of security or health risk. Mr. Donenfeld spoke in favor of the land use permit to allow additional parking on the side to meet the parking requirements and thinks it a very good design.

Vice Chair Calerdine said he's still concerned about pedestrian use on the side street but know there's not much they can do about it with this site plan. He also noted concerned

that there's not enough landscaping and but realizes that by adding more it would sacrifice additional parking.

Commissioner Hirschbein supports the project 100% and is okay with deferral of engineering conditions and with the proposed landscaping.

Commissioner Hudson said that he too lives in this neighborhood and does not think the sidewalk along Camino Monte Vista is necessary or even desirable because the additional proposed landscaping is much more successful and will be a greater addition to that street. Mr. Hudson said that he is not worried about safety issues pertaining to the sidewalk and favors more leniencies on the parking requirement to allow the café more flexibility in the hours of operation.

Commissioner Moruzzi thinks the mid-century flavor of the building is consistent with the history in the city and completely endorses the staff's recommendation.

Commissioner Woods concurred with Commissioner Hudson and thinks activating Indian Canyon and Palm Canyon is very important and extending the hours of operation will not be a detriment to the neighborhood. He requested bicycle parking (due to the parking reduction), street striping and a sidewalk.

Chair Weremiuk thinks striping both sides of the street would work. She noticed that people are randomly parking on both sides of the street.

Woods, seconded by Calderine to approve subject to conditions with changes:

1. Revise PLN 10- café hours from 7:00 am until 11:00 pm.
2. Bicycle parking racks/facilities shall be provided on the Palm Canyon and Indian Canyon side.
3. Stripe parallel parking stalls on both sides of the Camino Monte Vista between Palm Canyon Drive and Indian Canyon Drive.
4. To provide compacted DG (decomposed granite) path adjacent to the street curb on the north side of Camino Monte Vista.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calderine, Weremiuk

A recess was taken at 3:45 pm. The meeting resumed at 4:00 pm.

2B. CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE FOR THE REDEVELOPMENT OF GOLF COURSES (CASE NO. 5.1344 ZTA). (DN)

The Members of the Planning Commission Ad Hoc Subcommittee (Calderine, Weremiuk and Moruzzi) provided comments.

Associate Planner Newell presented the proposed golf course conversion ordinance as outlined in the staff report.

Chair Weremiuk opened the public hearing:

TANYA MALCH PETROVNA, spoke in favor of not changing the General Plan and keeping the open-space as is.

PENNIE FEEHAN, Tahquitz Creek Neighborhood Organization, spoke in opposition to the proposed changes and stated that they purchased their houses on golf courses.

RUSS UTHE, urged the Commission to keep the open space; noting that golf courses will not go on forever.

WAYNE GURALNICK, corporate counsel for Mesquite Country Club Condominium Homeowners Association and surrounding condominium associations, has attended many of the subcommittee meetings and thinks the ordinance balances the concerns of the homeowners as well as any potential developer on the property.

BILL WHITE, Mesquite Country Club HOA, board member, stated that they support this ordinance as the board that represents 600 condos around the golf course. He clarified that this ordinance is not to close the golf course but a procedure to follow.

RICH MALACOFF, The Altum Group, representing Albert Howell of Bel Air Greens, stated they would like to see reasonable standards for the conversion of private open space for other uses and redeveloped for something positive for the city.

ARTHUR MAC MILLAN, Mesquite Country Club, 29 year resident, spoke in favor of the proposed ordinance so that the small amount of open space they have can be preserved.

MARGARET SIROLLY, Mesquite Country Club resident, requested more open space be preserved because it provides habitat for the wildlife birds and small mammals.

MICHELE JOHNSON, agreed with the previous speaker and added that issues with traffic are another concern. She spoke in favor of preserving the open-space that's left.

JEFF TUNGIS, questioned if the proposed ordinance would be applicable to Indian Canyons Golf Course land.

NICKI MCLAUGHLIN, Friends of the Palm Springs Mountains, chair, said the board directed to comment on golf courses and open space. She suggested a public forum to allow people to give their creative in-put in how they'd like to see this land developed.

DICK BURKETT, requested that there would be more generous set-back for those residential properties that border the golf course. He suggested 60 - 70% open space rather than 50%; and questioned if consideration was given for the horse trail on this site.

MARVIN ROOS, retired but representing Mr. Howell on Bel Air Greens, provided history on the R-1-C zoning on this property. He pointed out that there has been no density transfer on this property; and noted if a golf course is built no credit will be given for parks and recreation and open space- all the fees must still be paid.

DARRELL THOMAS, said he's sensitive to the needs of development but also to the surrounding homeowners who were expecting open space when they purchased their property. He noted concern with the traffic that will result from residential or hotel use in this area.

JAN ALDEN, questioned if the water channels include the wash in the proposed ordinance; and noted concern that the wash will be considered as open space.

JULIE SALAZAR, said that trees are being plowed down and questioned if they have been allowed to be cut down. She questioned if the environmental report took into consideration the water consumption for 300 condos.

There being no further speakers the public hearing was closed.

The Commission discussed changes to the language of the proposed ordinance.

Chair Weremiuk said they would also want to go forward with a zoning that identifies how the transfer would occur in the density transfer.

Vice Chair Calderine said the ordinance needs to state their intent because there are lots of ways to interpret the general intent but the public needs to know where they're heading towards.

Commissioner Hirschbein would like to see a proactive measure to ensure that renters are noticed as well as the owners.

Commissioner Woods said his position is what they've heard from the public (70% or more) open space would be achieved or closely achieved with the way the ordinance is currently written.

Commissioner Hirschbein said it's more important to him if the open space is accessible to the public rather than the 50-55 percentages.

Commissioner Moruzzi clarified that they had to consider in many cases it is private property and there has to be an incentive for the owner to invest funds in creating open space and allowing less than 1/2 of the land to be developed based on the fact that the private yards and pools cannot be considered open space. He said as the subcommittee their goal was to have as much open space as possible; but given all other restrictions they felt this was the most reasonable approach.

Chair Weremiuk requested one more ad hoc subcommittee meeting to go over technical changes from the Commission prior to the next public hearing for this item.

Chair Weremiuk recapped the Commission comments and requests:

- Identify density transfer mechanisms;
- Add language in the Purpose and Intent section to identify the importance of maintaining some landscape buffers on the fairways, public access and view preservation;
- Broaden notice requirements in Neighbor Outreach Meetings portion of the ordinance and add additional requirements for on-site signage;
- Consider including one citywide meeting that utilizes various forms of noticing and includes outreach to renters;
- Intent is to preserve views for the public as well as open space;

Hirschbein, seconded by Calerdine to continue the public hearing to a date certain of July 25, 2018.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

2C. CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO SECTIONS 91.00.10, 93.05.00 AND 94.03.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS (PDD) AND THE REQUIREMENTS FOR PROCESSING PDD APPLICATIONS.

Planning Director Fagg reported that additional revisions are necessary and recommended to continue the public hearing to the meeting of July 11, 2018.

Chair Weremiuk opened the public hearing and there being no speakers the public hearing was closed.

Planning Director Fagg noted that an affordable housing fund will be started through the Community and Economic Department and requirements to contribute to such a fund would be in place to address it.

Calerdine, seconded by Hirschbein to continue to a date certain to July 11, 2018.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Follow-up comments from earlier discussion with the Architectural Advisory Committee relating to the Downtown Park design.
- GIS map for projects.
- Update on General Plan

CITY COUNCIL LIAISON REPORT: None.

PLANNING DIRECTOR'S REPORT:

- Tentative Study Session on July 25th.

ADJOURNMENT: The Planning Commission adjourned at 5:21 pm to 1:30 pm, Wednesday, July 11, 2018, City Hall, Large Conference Room, 3200 E. Tahquitz Canyon Way, Palm Springs, California.

Flinn Fagg, AICP
Director of Planning Services

DRAFT

PLANNING COMMISSION MINUTES
JULY 11, 2018
CITY OF PALM SPRINGS, CALIFORNIA
Large Conference Room, City Hall
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 1:31 pm.

ROLL CALL:

Present: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Vice Chair
Calerdine, Chair Weremiuk

Staff Present: Planning Director Fagg, Attorney Priest, Planning Administrative
Coordinator Hintz, Engineering Associate Minjares, Associate Planner
Mlaker, Principal Planner Robertson

REPORT OF POSTING OF AGENDA: The Agenda was available for public access at the
City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services
counter by 6:00 pm Thursday, July 5, 2018.

ACCEPTANCE OF THE AGENDA:

Vice Chair Calerdine, seconded by Donenfeld to accept the Agenda as presented.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

PUBLIC COMMENTS: None.

CONSENT CALENDAR:

- 1A. **APPROVAL OF MINUTES:** None.
2. **PUBLIC HEARINGS:**
 - 2A. **CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO SECTIONS 91.00.10, 93.05.00 AND 94.03.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS (PDD) AND THE REQUIREMENTS FOR PROCESSING PDD APPLICATIONS.**

Planning Director reported that staff received a letter from the Agua Caliente Band of Cahuilla Indians requesting deferral of action on any items that may impact the tribe as no meetings will be held during the month of August.

Chair Weremiuk opened the public hearing; and with no speakers coming forward the public hearing was closed.

Calerdine, seconded by Hirschbein to continue to a date certain of September 12, 2018.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

2B. GARNET PROPERTIES 2014, LLC FOR A CONDITIONAL USE PERMIT; ADOPTION OF A MITIGATED NEGATIVE DECLARATION UNDER CEQA; AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 63,650-SQUARE FOOT CANNABIS CULTIVATION AND DISPENSARY FACILITY CONSISTING OF FOUR (4) SEPARATE BUILDINGS LOCATED AT GARNET ROAD AND THE INTERSTATE 10 OFF-RAMP, ZONE M-1-P, SECTION 23 (CASE 5.1434 CUP AND 3.4068 MAJ).

Associate Planner Mlaker presented an overview on the proposed cannabis cultivation and dispensary facility as outlined in the staff report.

NICOLE CRISTE, Terra Nova Planning & Research, provided details on the biological mitigation related to migratory birds. Ms. Criste addressed questions from the Commission.

Chair Weremiuk opened public comments:

JAMES CIOFFI, project architect, said this is designed to be an industrial park type project. Mr. Cioffi provided details on the metal parapets, architectural and landscape design.

MICHAEL FEIN, applicant, provided detail on the type of manufacturing use that will go through permitting process.

There being no further speakers the public hearing was closed.

Commissioner Hirschbein thinks this site is a prominent site as it represents an entrance to the city. He said the north and east elevations lack attention as they will be seen by motorists using the I-10 exit ramps. He'd like to see the "eye brows" strengthened or the canopy extend out with columns or posts.

Member Donenfeld does not think this is a very prominent site; and noted that he's exited the ramp many times. He pointed-out that there is nothing distinctive about the surrounding architecture and thinks its fine for the use and location.

Vice Chair Calerdine concurred with Commissioner Donenfeld and wants to make sure the sidewalk is installed on the entire frontage. He noted that many spot projects are being approved in these areas and the Gene Autry Trail with no cohesive plan.

Commissioner Hudson thinks the architecture for the building type is very good; the more simple and minimal the better at this location. He concurred that the "eye brows" at the dispensary entrance are weak and he'd like to see the two canopies form a more welcoming entry gesture since this is the only area that invites the public. He noted that this location caters more to motorists and is a missed opportunity for more fast food restaurants. He concurred with Vice Chair Calerdine that more of these sites could be looked at in a more cohesive way and spoke in support of the project.

Commissioner Moruzzi thinks this a perfect project for this area and can't see too many other commercial or industrial uses that would work. He thinks the design is appropriate for this location and likes the minimal aspect.

Commissioner Woods concurred with his fellow Commissioners and thinks the trip generation would be different for manufacturing use. He suggested bike boxes be provided for each building to protect from the wind.

Chair Weremiuk thinks the "eye brows" should be enhanced and the cannabis dispensary may be considered more as serving the public. She thinks the use is appropriate for the site.

Calerdine, seconded by Weremiuk to approve with changes.

1. Construct eight (8) foot wide sidewalk across the entire frontage of the parcel from the I-10 off-ramp to the western portion of the property.
2. Provide bike boxes at each of the four (4) buildings to be available for employees and visitors.
3. Revise Building 1A elevation with a more prominent "eye brow" feature over entry to public dispensary.
4. Any future use of the buildings that will increase the number of vehicle trips over 50 per hour may require a new traffic evaluation.
5. Landscape plan to utilize ground cover material including rocks, boulders, rubble and other inert material that will remain on site and not be affected by the strong winds.

AYES: Donenfeld, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

NOES: Hirschbein

A recess was taken at 2:36 pm. The meeting resumed at 2:47 pm.

2C. J5 INFRASTRUCTURE ON BEHALF OF AT&T MOBILITY FOR A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF TWELVE 8-FOOT TALL PANEL ANTENNAS ON THE ROOF TOP OF AN EXISTING WAREHOUSE

**BUILDING LOCATED AT 770 SOUTH GENE AUTRY TRAIL, ZONE M-1,
SECTION 20. (CASE 5.1438 CUP). (ER)**

Principal Planner Robertson provided an overview on the proposed wireless facility as outlined in the staff report.

Chair Weremiuk opened the public hearing:

MELISSA FRANCISCO, J5 Infrastructure, applicant, explained that the antennas cannot be moved to the center of the building because the height would need to be increased significantly.

GENE VOSKOBOYNIK, AT&T Mobility, RF Engineer, explained the propagation characteristics; noting that any object in front of the antenna will obstruct it. He spoke about areas lacking coverage that includes the airport and surrounding residential communities. Mr. Blanc responded that the location of the antennas could not be moved to the center of the building because they would be obstructed and the height would need to be increased.

There being no further speakers the public hearing was closed.

Commissioner Hudson suggested another option is to center one of the screened elements on the south façade of the building; and center the other screened element on the north end of the building. Mr. Hudson also suggested using a slightly different color on the screening so that it doesn't blend in too much and would give more order to the elements.

Mr. Voskoboynik responded that the energy wave would be split and the building would be an obstruction unless the antennas are raised.

Commissioner Hudson verified if the antennas split into three sections would work- (yes).

Commissioner Moruzzi thinks the screening is not attractive and looks better without it.

Commissioner Woods thinks the screens could be more architectural to match the building; and suggested adding more landscape enhancements along the exterior of the building both on Sunny Dunes and Gene Autry Trail.

Commissioner Moruzzi would like to see simulations without the screening.

Commissioner Hudson concurred with Commissioner Moruzzi and encouraged as many visual simulations as possible not just directly adjacent to the building.

Commissioner Hirschbein suggested bringing the unit to the middle of the building by raising 1 1/2 feet and return with screened and not screened simulations.

Chair Weremiuk said the proposal before them is too bulky and would like to see different simulations. She said she would like to see them get the cell coverage they need and hopes they will bring back simulations of what will work for them.

Weremiuk, seconded by Calerdine to continue to a date certain of September 12, 2018.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine, Weremiuk

3. OTHER BUSINESS:

3A. ELECTION OF OFFICERS:

- 1. ELECTION OF CHAIR**
- 2. ELECTION OF VICE CHAIR**

Hirschbein, seconded by Calerdine to retain Kathy Weremiuk as Chair and Lyn Calerdine as Vice Chair until their terms expire on December 31, 2018.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Woods, Calerdine
ABSTAIN: Weremiuk

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Neighborhood meeting held the Golf Course Conversion.
- Discussion item on moratoria on next agenda for informational purposes.
- Posting of Ad Hoc Subcommittee agendas on webpage.
- Update on the Cameron Development and Dream Hotel.
- Planning Department's Project Submittals & Status.

CITY COUNCIL LIAISON REPORT: None.

PLANNING DIRECTOR'S REPORT: None.

ADJOURNMENT: The Planning Commission adjourned at 3:59 pm, to 1:30 pm, Wednesday, July 25, 2018, preceded by a Study Session at 10:00 am, Large Conference Room, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

Flinn Fagg, AICP
Director of Planning Services

PLANNING COMMISSION MINUTES
JULY 25, 2018
CITY OF PALM SPRINGS, CALIFORNIA
Large Conference Room, City Hall
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 1:30 pm.

ROLL CALL:

Present: Donenfeld, Hirschbein, Hudson, Moruzzi, Vice Chair
Calerdine, Chair Weremiuk

Excused: Woods

Staff Present: Planning Director Fagg, Attorney Priest, Planning Administrative
Coordinator Hintz, Associate Planner Lyon, Engineering Associate
Minjares, Principal Planner Robertson

REPORT OF POSTING OF AGENDA:

The Agenda was available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 6:00 pm on Thursday, July 19, 2018.

ACCEPTANCE OF THE AGENDA:

Chair Weremiuk requested Item 2D moved to the first item under the public hearings and move Item 3A under the Consent Calendar.

Calerdine, seconded by Donenfeld to accept the agenda as amended.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk

ABSENT: Woods

PUBLIC COMMENTS:

Chair Weremiuk opened public comments:

JANE GARRISON, encouraged the Planning Commission to request that City Council impose a moratorium on any applications for golf course conversions.

MIKE GUERRA, resides in the Tennis Club Neighborhood, spoke in reference to Item 2B. He supports the findings in the staff report and does not see a hardship for the lot split.

TANYA MALCH, she urged the Planning Commission to request City Council impose a moratorium on golf course conversions.

JUDY ELMORE, commented in reference to Item 2B, spoke in opposition of the lot split; noting that the only advantage of the lot split would be for the owner.

MICHAEL JOHNSON, resides in the Demuth Park Neighborhood, supports a moratorium until the ordinance has went through the proper steps and has been finalized.

DAVID HYAMS, spoke in favor a moratorium for golf course conversion. He pointed out that once the nature environment is destroyed you can't get it back.

JULIE SALAZAR, spoke in favor of a golf course moratorium to preserve the land and wildlife.

There being no further speakers public comments was closed.

1. CONSENT CALENDAR:

Calerdine, seconded by Donenfeld to approve Items 1A, 1B, 1C and 3A as part of the Consent Calendar.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk

ABSENT: Woods

1A. APPROVAL OF MINUTES: JUNE 27, 2018 STUDY SESSION MINUTES

Approved, as presented. (Commissioner Hirschbein abstained on the minutes.)

1B. ROBERT HAYES AND JAMES BURDA, OWNERS, REQUESTING TO ABANDON AND VACATE THE RIGHT-OF-WAY FOR A PORTION OF CAMINO DEL MONTE, NORTH OF CAMINO CARMELITA, ZONE R-1-B, SECTION 27 (CASE NOS. 3.529 MAJ & ENG FILE R 18-002) (FP)

Approved, as presented.

1C. ROSIAN V, LLC, FOR APPROVAL OF A FINAL PLANNED DEVELOPMENT DISTRICT (PDD) FOR A PROPOSED RENOVATION AND ADDITIONS TO AN EXISTING 62-ROOM HOTEL TO ADD AN OUTDOOR MUSIC VENUE, AN OUTDOOR RESTAURANT USE, AN OUTDOOR COCKTAIL LOUNGE USE AND SUPPORT SPACES AT THE MONROE HOTEL (AKA INFUSION BEACH HOTEL) LOCATED AT 1900 NORTH PALM CANYON DRIVE (CASE 5.1409 PDD 387; RELATED CASES 5.1409 CUP / 3.864 MAA / 6.550 VAR, (APN 504-320-026, ZONE C-1/ R-3 / RESORT COMBINING ZONE). (KL)Approved, as presented.

3A. GRIT DEVELOPMENT TO AMEND AN EXISTING SIGN PROGRAM FOR BLOCK C-1 BUILDING (ROWAN HOTEL) LOCATED WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT 100 WEST TAHQUITZ CANYON WAY, ZONE CBD, SECTION 15 (CASE SP 16-004 AMND). (GM)

Approved, as presented.

2. PUBLIC HEARINGS:

(This Item was heard out of order.)

2D. CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE FOR THE REDEVELOPMENT OF GOLF COURSES (CASE NO. 5.1344 ZTA). (DN)

Chair Weremiuk opened the public hearing and with no speakers coming forward the public hearing was closed.

Calerdine, seconded by Moruzzi to continue to a date certain of September 12, 2018.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk
ABSENT: Woods

2A. FREEHOLD COMMUNITIES, LLC, REQUEST FOR A PRELIMINARY PLANNED DEVELOPMENT DISTRICT AND MAJOR ARCHITECTURAL APPROVALS FOR THE DEVELOPMENT OF A 153-UNIT CONDOMINIUM COMPLEX ON A 16.1 ACRE UNDEVELOPED PARCEL IN PLANNING AREA 5 OF PHASE 1 WITHIN THE MIRALON PROJECT LOCATED AT 801 SUNRISE PARKWAY, ZONE PDD 290 (CASE NOS. 5.0982-PD 290 & 3.4075-MAJ). (ER)

Principal Planner Robertson presented the proposed 153-unit condominium complex as outlined in the staff report.

Planning Director Fagg recapped the recommended changes of the Architectural Advisory Committee and the revisions made by the applicant.

Chair Weremiuk opened the public hearing:

BRAD SCHUKHART, Freehold Communities, addressed the recessed windows, street articulation, and relocation of two units and provided details on the shade structures. Mr. Schukhart was available for questions from the Commission.

JACK HAYDEN, C2 Collaborative Landscape Architecture, landscape architect, addressed questions from the Commission relating to the landscape design.

COLIN LIU, Robert Hidey Architects, project architect, addressed questions from the Commission relating to building colors, materials on the exterior buildings, secondary windows, roof systems, elevations and simulated views from different angles.

There being no further speakers the public hearing was closed.

Commissioner Hirschbein said he likes the project and it has improved. He thinks a common area pool is needed because of the long walking distance to the main clubhouse. He suggested the area where the two units were removed and he'd like to see traffic calming on the crosswalk because motorists most likely speed in an unsafe manner.

Commissioner Donenfeld thinks it's a good development and the details are impressive. He said it's refreshing to see that the garage doors are not a main part of the facade of the house. Mr. Donenfeld thinks the roof lines should be flat and a public pool would be an excellent addition because there is sufficient massing in this neighborhood.

Vice Chair Calerdine said he is uncertain about a public pool because it would change the economics of the project.

Brad Schukhart responded that although he understands it would be a 10 minute walk to the clubhouse they strongly oppose the idea of a public pool because of the following reasons:

1. Additional cost of not only putting in a pool but also putting in restrooms and pool equipment that would create a nuisance to adjacent homeowners.
2. They believe one the strongest elements of the project is the amenity center as the central gathering place for the community. These houses are closer to the amenity center than the other units and there will be an opportunity for small plunge pools.

Commissioner Hudson thinks the design team is an example of a very good one that listens and makes changes. He does not have a problem with the 2nd floor increasing in size for the roof decks because the belvederes enhance the architecture. Mr. Hudson agrees with the comments from the AAC relative to the central paseo in providing more off-set and the result is a more successful north/south paseo. He said the major change he is happy to see is the south gathering space is now truly a wonderful space. He thinks gradual humps where the intersections occur could be slightly mounded to achieve traffic calming. He agrees with the slightly sloping roof with a level fascia panel and that building colors will be reviewed in the future.

Commissioner Moruzzi said that although he was not on the Commission when this project was first presented he is very impressed and agrees with most of the comments.

Chair Weremiuk said that although she initially spoke in favor of a public pool; she prefers to keep the community center as the main gathering place. She agrees with the roof lines, slight street humps and thinks allowing the roof decking would be an enhancement to the project.

Weremiuk, seconded by Calerdine to approve with changes.

1. Provide private access gates at the side yards of individual units that back the Miralon open space areas.
2. Provide additional shade trees at the Desert Common Park.
3. Add plantings that attract butterflies, birds and bees to the landscape palette.
4. There shall be no decomposed granite in the open space areas; use only 3/8th rocks.
5. Revise proposed 1% slope roofline for Elevations 4A, 4XA and 5A to create the appearance of a complete level roof plane.
6. The design to conform to the Miralon design guidelines.
7. Provide traffic calming devices subject to the approval of the Fire Marshall.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk
ABSENT: Woods

2B. FOUNTAIN VILLAGE DEVELOPMENT REQUEST FOR A TENTATIVE PARCEL MAP TO SUBDIVIDE A 1.7-ACRE PARCEL INTO TWO SINGLE-FAMILY RESIDENTIAL LOTS AND AN ADMINISTRATIVE MINOR MODIFICATION (AMM) APPLICATION FOR A 10 PERCENT REDUCTION OF THE REQUIRED LOT WIDTH IN THE R-1-A ZONING DESIGNATION FOR THE PARCEL LOCATED AT THE WESTERN TERMINUS OF WEST SANTA ROSA DRIVE; ZONE R-1-A; SECTION 15 (CASE TPM 36922/7.1482 AMM). (ER)

Principal Planner Robertson presented the proposed request to subdivide a 1.7-acre parcel into two single-family lots as outlined in the staff report.

NICOLE CRISTE, Terra Nova Consulting, responded that the slope is conservation area (Big Horn habitat) located above the buildable area and described the adjacency guidelines (requirements for types of landscaping, lighting and noise levels).

Vice Chair Calerdine noted concern that there is a 5'-6' deep channel immediately adjacent to the road and is not shown in the drawings. He would assume with a vertical channel there would be a fall protection for people and animals.

Chair Weremiuk opened the public hearing:

MARVIN ROOS, representing the applicant, noted that there are not many 1-acre lots in the city. He stated that they will provide a terminus turnaround for fire trucks and large vehicles; and pointed out that Riverside County Flood Control vacated the flood easement. Mr. Roos clarified the foundation and chimney of the historic site is intact on the hillside and their intention is to preserve it. He stated that they are requesting for an AMM to finish the neighborhood in a consistent way.

RODNEY REED, MSA Consulting Inc, civil engineer, stated that the existing drainage will be preserved and improved. He explained that each house would be required to mitigate the increase of storm runoff. Mr. Reed addressed questions from the Commission.

There being no further speaker the public hearing was closed.

Commissioner Moruzzi said he is not comfortable that they do not have sufficient information that the "Tahquitz Ditch" does not exist underneath this property.

Vice Chair Calerdine said he's concerned that the alternative drainage channel is not shown on the tentative map and would be uncomfortable approving the alternatives. He's very concerned about having a 5'-10' channel there and does not think it's appropriate for the area.

Commissioner Hirschbein spoke in opposition of the 6' deep vertical channel in this area. He expressed concern with the idea of having two houses on this lot that would not be so special.

Commissioner Donenfeld verified that any hillside development would come for review before the Planning Commission- (yes).

Chair Weremiuk said she has concerns with the historic resources, runoff water and the location of the property especially access for the neighborhood. She thinks it will be more detrimental to the neighborhood to have two houses built on this very narrow road. Ms. Weremiuk thinks it's a difficult site and is very concerned with the drainage ditch in the proposal.

Calerdine, seconded by Donenfeld, to deny.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk
ABSENT: Woods

A recess was taken at 3:30 pm. The meeting resumed at 3:45 pm.

2C. SMITH & HALL DESERT PROPERTIES, INC. FOR BEVERAGES & MORE, INC. FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT ISSUED TO A LIQUOR STORE ("BevMo!") TO ALLOW OUTDOOR SHOPPING CART STORAGE AT 333 SOUTH PALM CANYON DRIVE, ZONE CBD, SECTION 15 (CASE NO. 5.1392 CUP & HSPB #84). (DN)

Planning Director Fagg reported staff has requested to table the item at the request of the applicant.

Calerdine, seconded by Hirschbein to continue to a date uncertain.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk

ABSENT: Woods

3. NEW BUSINESS:

3B. WOODBRIDGE PACIFIC GROUP, LLC, REQUESTING APPROVAL OF FINAL DEVELOPMENT PLANS FOR 44 SINGLE-FAMILY RESIDENTIAL UNITS FROM A PREVIOUSLY APPROVED PRELIMINARY PLANNED DEVELOPMENT DISTRICT (PDD 290) IN PHASE 1 OF THE MIRALON DEVELOPMENT LOCATED AT 801 SUNRISE WAY, ZONE PDD 290, SECTION 35 (CASE 5.0982-PD 290 / TTM 31848-1). (ER)

Principal Planner Robertson provided an overview on the proposed final development plans for 44 single family units in Phase 1 of Miralon as outlined in the staff report.

Planning Director Fagg recapped the comments and recommended changes from the Architectural Advisory Committee relative to the architecture and landscaping.

TODD CUNNINGHAM, Woodbridge Pacific Group, applicant, provided details on footprint, elevations, lot coverage, architectural designs, privacy walls and landscaping.

Commission Comments:

Commissioner Hudson said that although he understands having the majority of the rear of the houses face the mountains; he expressed concern with the flat rear facade and the alignment of all the houses. He likes the alternating easement idea for the shared yards but thinks with some creativity they can add more variety. He pointed out that the houses on the south also do not have nice courtyards. Mr. Hudson said as an architect he can't read the drawings and does not think there is much difference in the three elevations and everything is blocky. He thinks this project needs a major restudy and believes there are ways of solving these concerns that will take more than looking at reglets and block wall details.

Commissioner Morozzi concurs with Commissioner Hudson and thinks all the houses look the same.

Commissioner Hirschbein said he's struggling with the uniformity of the facades in terms of the layout; and made some suggestions such as flipping the layout. He thinks if the architecture was good it would not exacerbate the other.

Commissioner Donenfeld concurred with Commissioners Hudson and Hirschbein; noting that they clearly have problems with setbacks. He said the elevations not only on the front of the house but all four sides are not very articulate and distinctive. He thinks a major restudy is needed.

Chair Weremiuk said that the exterior elevations don't feel differentiated to her and she'd like to see more variety. She thinks the reciprocal easements have not been utilized in any way. Ms. Weremiuk said the street feels repetitious, the rear and side properties are not

articulated and the windows do not look interesting and take away from the property on the front elevation. She would like to see understory plants that attract butterflies, birds and bees included in the revised landscape plan.

Commissioner Hudson said he'd like to see a 3D image of the elevations which could be very simple.

Calerdine, seconded by Hudson to continue to a date uncertain for a restudy.

AYES: Donenfeld, Hirschbein, Hudson, Moruzzi, Calerdine, Weremiuk
ABSENT: Woods

4. DISCUSSION:

4A. MORATORIA AND THE ASSOCIATED REQUIREMENTS UNDER CALIFORNIA STATE LAW.

Attorney Priest provided a general overview on the requirements for City Council to establish a moratorium ordinance. He was available for questions from the Commission.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Ad Hoc Subcommittee Meetings: Small Lots, Demolition and Downtown Park

CITY COUNCIL LIAISON REPORT:

- Council Member Middleton spoke briefly about several items.

PLANNING DIRECTOR'S REPORT:

- The Planning Commission is going dark for the month of August and the next scheduled meeting is on September 12, 2018.

ADJOURNMENT: The Planning Commission adjourned at 5:35 pm to 1:30 pm, Wednesday, September 12, 2018, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

CITY OF PALM SPRINGS
Planning Commission Study Session Minutes
Wednesday, July 25, 2018
City Hall, Large Conference Room
3200 E. Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 10:03 a. m.

ROLL CALL:

Present: Donenfeld, Hirschbein, Hudson, Moruzzi, Vice Chair Calerdine, Chair Weremiuk

Excused: Woods

Staff Present: Planning Director Fagg, Assistant City Manager Fuller, Attorney Priest, Associate Planner Newell

PUBLIC COMMENT:

ALBERT HOWELL, applicant, provided general details about the proposed project and the density of the project.

JANE GARRISON, stated that she is glad the hotel is no longer part of the project; noting that the owner knew the property was open space when he purchased it. She does not support the extension of Mesquite Avenue and suggested that half of the site should be open space and an EIR should be required.

TANYA MALELL, expressed concern about Mesquite Avenue becoming a thoroughfare, the restriping of the street has helped, but the project will add more than 900 additional cars per day. She stated that people come to Palm Springs to enjoy open space, and that her property values will be damaged by the project.

GREG VARRA, spoke in opposition of the project. He said that an EIR was needed to assess the impact on wildlife and traffic impacts; he requests that the City Council impose a moratorium.

CAROLYN LUMBER, stated that her concern was about the loss of open space; once it's gone it's gone forever.

MICHELE JOHNSON spoke in opposition of the in-lieu open space on the outskirts of town. She said that open space is needed to preserve as a nature area, and Mesquite Avenue should not be extended.

DAVID HYAMS, said he concurs with a moratorium, the in-lieu concept is ridiculous, and that you can't relocate nature.

DISCUSSION ITEM:

1. BEL AIR GREENS GOLF COURSE REDEVELOPMENT - PRE-APPLICATION 18-001 (DN)

Associate Planner Newell provided a staff report and overview of the project.

The Commission asked general questions about the 100-year floodplain, the boundaries of the floodway; and about the applicant's proposal to modify the floodway boundary. They also requested information on the studies that had been received to date, and questioned if the applicant had submitted a revised floodplain analysis.

Chair Weremiuk requested that staff address the extension of Mesquite, provide details on the changes to the floodway, and the legal issues relative to the inconsistency between the General Plan and the zoning.

Marcus Fuller, Assistant City Manager, provided details on the street section for the extension of Mesquite, and noted that driveways for the new residences would neither be prohibited nor encouraged on Mesquite Avenue.

Commissioner Hirschbein requested details on the redistribution of traffic if Mesquite were to be extended.

Commissioner Hudson questioned if the City could be proactive in authorizing traffic studies for the extension of Mesquite. He would like to see an update to the traffic study that was conducted for the 2007 General Plan update.

Vice Chair Calerdine said he'd like to see alternatives to narrow the Mesquite Avenue right-of-way and the street off-set for traffic-calming purposes.

Commissioner Moruzzi verified that Mesquite Avenue will still remain off-set at El Cielo.

Mr. Fuller responded that the City could consider alternate alignments for Mesquite Avenue if supported by traffic studies. He discussed the FEMA floodplain map; and noted that the proposed development plan may require the floodway to be channelized.

Chair Weremiuk questioned if flooding at north and south of the project would be addressed and controlled as part of the development. She asked if endangered species would be impacted by any floodway improvements.

Mr. Fuller responded that the applicant would be required to show that the project would not be impacting the floodplain depth.

Vice Chair Calerdine asked if the City has documented flooding on adjacent streets and if the floodway improvements would require channelization.

Commissioner Donenfeld questioned the review process for floodway changes, and which agencies would review the plans prior to construction- (Riverside County Flood Control and FEMA would review the proposed changes).

Chair Weremiuk questioned if the Commission is obligated to approve a General Plan Amendment (GPA) for the site.

Mr. Priest responded that a GPA application is legislative and discretionary; and that the application would be necessary to develop residential uses on the site. He also stated that a Change of Zone application to R-1-D is a discretionary action.

Commissioner Moruzzi questioned if the conflict issue between the General Plan designation and zoning would need to be resolved.

Commissioner Donenfeld verified that the applications could be filed concurrently.

Vice Chair Calerdine confirmed the size of the lots to the south of the site; and questioned if R-1-D would be more dense than R-1-C. He also questioned if the CV Link alignment would impact the site design.

Chair Weremiuk asked if the proposed lots on the south side of the development would align with the existing lots to the south- (the applicant indicated that they would not align directly); and if there is a landscape buffer proposed between the new development and the existing residential development. (The applicant responded that there is no landscape buffer but there would be an additional setback.)

ALBERT HOWELL, applicant, provided an overview of the project. He indicated that he had received an email from neighbors about their support of the project and discussed general flooding issues. He clarified that when the property was purchased in 2006, the General Plan designation was L-4 (low-density residential).

MARVIN ROOS, on behalf of the applicant, provided a history of the zoning and entitlements for the site.

The Commission had general questions for the applicant, including the following:

- Could the Mesquite Avenue street section be reduced?
- How will CV Link and the horse trail be accommodated?
- How can the retention space shown on the site plan be used by residents?

- Will there be a wall or landscape buffer along El Cielo? (The lots will have additional depth.)
- Will there be a grade change between the development site and the existing residential properties to the south? (The properties to the south are higher.)
- Was the current owner aware of the 2007 change in the General Plan land use designation for the site? (No)
- Was the applicant aware of the current General Plan designation when you became involved with the development? (Yes)
- Is it the intention to obtain the entitlements and then sell the project to a developer? (Yes)
- What will be the boundaries of the new floodway?
- Will all proposed homes be out of the floodplain? (Yes, two feet of fill will be added to the site.)
- Will the floodway be channelized? (Yes – with concrete or rip-rap.)
- Is it possible to retain 50% of the site as open space? (It isn't feasible to provide 50% open space.)
- Have you considered clustering the units to provide more open space? (The adjacent residents would be upset with greater density.)

Following questions of the applicant, the Commission made general comments about the project as proposed.

Commissioner Hudson stated that the applicant should explore an alternative strategy for the housing to allow for open space, and that the open space should be situated adjacent to the floodway. He also opined that Mesquite Avenue should not be extended as an automobile thoroughfare to El Cielo, but the CV Link pathway should extend through.

Commissioner Hirschbein agreed that an alternate strategy for the housing should be considered to increase open space, such as attached units. He noted that the proposed through-parcels are an inefficient design, and is uncertain whether Mesquite Avenue should be extended to El Cielo.

Commissioner Donenfeld said that they are dealing with an area that has been open space and they must be sensitive to environmental issues. He also said that the site plan could be more creative in terms of locating density, greenways and view corridors.

Vice Chair Calderine expressed interest in seeing alternatives in a potential EIR. He encouraged the applicant to explore the design of the floodway channel so that it is more natural in appearance. He said that an EIR should address a different route for Mesquite Avenue and review impacts for through traffic. He also stated that if a General Plan application is filed, the applicant needs to look at the City's affordable housing goals with the possibility of providing moderate income housing and higher density in a concentrated location on the site, potentially at the northeasterly area.

Chair Weremiuk stated that she is generally in favor of a grid pattern of streets, and that an alternate plan may be needed to discourage through-traffic. She requested that the applicant look at the design of the floodway and encouraged consistency between the upstream and downstream channels. She said that she is unsympathetic to owners who don't pay attention to General Plan land use designations and requested additional information on the legal issues surrounding the conflict between the zoning and the General Plan. Ms. Weremiuk said that the preservation of open space is very important and would like to see a plan with more clustering and open space. She expressed concern about the trail alignment and is interested in seeing buffers between the existing homes and the new development. She also requested more information on the impacts of flooding in the area, and stated that the proposed street pattern within the development is inefficient.

ADJOURNMENT:

There being no further comments, Chair Weremiuk adjourned the Study Session at 12:16 pm to the regular meeting at 1:30 pm, Wednesday, July 25, 2018, City Hall, Large Conference Room.

Flinn Fagg, AICP
Director of Planning Services

Planning Commission Regular

1.B.

Meeting Date: 09/12/2018

Subject

A STATUS REVIEW OF A NURSERY THAT WAS ESTABLISHED IN 2009 (AS “AUNT EFFIE’S GARDENS”) AT 2393 NORTH PALM CANYON DRIVE, ZONE C-1, SECTION 3 (CASE 3.3374 MAJ). (DN)

RECOMMENDATION: Receive status update as required by the conditions of approval and direct staff to file in the case history for the site.

Attachments

Nursery Staff Memo



CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: September 12, 2018

To: Planning Commission

From: Department of Planning Services *DN*

Subject: Agenda Item #1B
Case 3.3374 MAJ – Review of Plant Nursery/Garden Center at 2393 N. Palm Canyon Drive

On September 23, 2009, the Planning Commission approved an architectural review application to establish a nursery on a vacant, 0.57-acre site. As a part of the conditional approval, the Planning Commission required a review of the facility three years after the business began operating:

- PSP 1. The project shall be reviewed by the Planning Commission if any one of the following things occurs:*
- a. The use has changed,*
 - b. The property has been abandoned, or*
 - c. Three (3) years after the approval date.*

A review of the file history shows the Commission has not reviewed the project since the project approval in 2009. In an effort to fulfill this condition, staff is presenting this memorandum to provide some history and an update on the facility.

| Related Relevant City Actions by Planning, Fire, Building, etc.... | |
|---|---|
| 09/23/2009 | Planning Commission approved the Major Architectural Application for the construction of the nursery/garden center. (Case 3.3374 MAJ) |
| 11/17/2009 | Building permit issued for the construction of a nursery/garden center (Permit C25397). |
| 08/08/2013 | Building permit issued to connect the site to the public sewer (Permit 2013-2158). |

In 2010, the property owners, Paul and Michele Mahoney and Christopher and Kristin Mahoney, began operating the nursery, known as Aunt Effie's Gardens. The business was open for three years before being sold to Vintage Nursery, which operated a nursery at the site for an additional three years. The nursery closed in 2016. Property

ownership has not changed since 2009.

On August 22, 2018, the property owner, Mr. Mahoney, contacted staff in the Planning Department to ensure there were no issues with re-opening the nursery/garden center, as a potential tenant expressed interested in the property. At that time, staff investigated the case history and informed Mr. Mahoney of the condition requiring Planning Commission review.

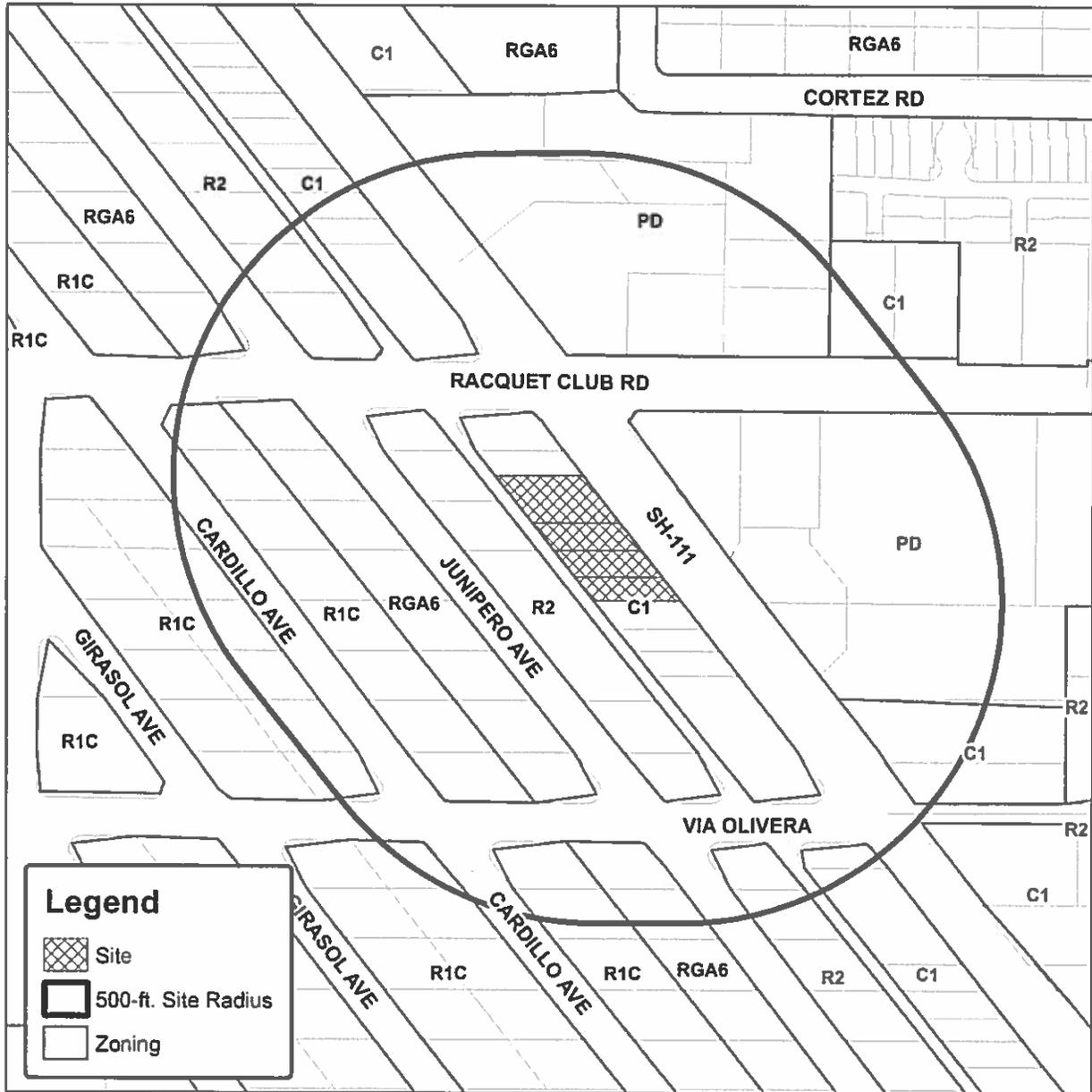
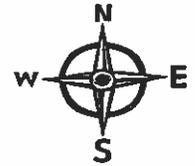
A review of Code Compliance/Enforcement records indicates there was one code violation occurring in January 2013. The violation involved the use of a temporary A-frame sign. After receiving notice, the business removed the sign and the violation was deemed resolved and closed. There have been no further issues related to the business's operation as a nursery. Based on this analysis, staff believes re-opening the property as a nursery would be appropriate, and allow a viable use in the northerly end of Palm Canyon Drive. Staff recommends the Planning Commission take no action at this time. This memorandum will be filed with the property case history.

Attachments:

1. Vicinity Map
2. Applicant Email Correspondence
3. Staff Report – September 23, 2009
4. PC Resolution No. 7236



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 3.3374 MAJ Status Review

LOCATION: 2393 N. Palm Canyon Drive

LEGAL: Lot 24, 25, 26, 27 & 28 of MB 019-003 Palm Springs Village

David Newell

From: Paul Mahoney <paul@pmaadvertising.com>
Sent: Wednesday, August 29, 2018 11:07 AM
To: David Newell
Subject: 2393 update

Morning David,

Per our discussion below is an update of the old garden center formerly known as Aunt Effie's Gardens.

We bought the property in 2009 or so. It was approved at the time for mixed use.

With the help of the city we updated it to allow it be a garden center and got approval in late 09.

My wife and I along with our partners founded and created Aunt Effie's Gardens in 2010. We ran it for three years.

We sold the business only then to Vintage Nursery who then ran it for another three years.

The property is still fully improved but has been vacant now for a while.

We have a potential new person who wants to come in and reopen a garden center on the existing foot print.

So we are just looking to get our CUP updated as the city had a clause in there to review every three years.

I hope this helps

Thanks

Paul



PAUL J. MAHONEY | CEO
760.778.1313 EXT. 24 | PMAADVERTISING.COM
550 S. OLEANDER ROAD PALM SPRINGS, CA 92264



August 24, 2018

3.3374

RECEIVED

AUG 27 2018

**PLANNING SERVICES
DEPARTMENT**

David Newell
Asst. Director of Planning Palm Springs
3200 E. Tahquitz Canyon Way,
Palm Springs, CA 92262

Dear David,

Thanks for taking the time to talk to me on the phone the other day. As you suggested I am writing to you so that we can make sure our new tenant on our property formerly known as Aunt Effie's Gardens, can move forward in renting our property and opening another retail garden center.

Our address is 2393 North Palm Canyon Drive. The tenant intends to reopen there for the season starting in October of this year, 2018.

As we discussed nothing has changed on the property and it was previously approved for this use. I just want to make sure that our CUP which the City had an option to review in three years (now passed) can move forward as is.

Let me know what I need to do to expediate this, so we can get our tenant up and running and open another new business in the north end.

As we discussed, I am excited with everything the city has going on in the north side again.

Thanks for your help.

Paul Mahoney



Planning Commission Staff Report

Date: September 23, 2009

Case No.: 3.3374 – MAJ

Type: Major Architectural Application

Location: 2393 North Palm Canyon Drive

APN: 504-224-005, 504-224-006, 504-224-007, 504-224-024

Applicant: Paul Mahoney and Chris Hermann of Aunt Effie's Gardens

General Plan: MU / MU (Mixed Use / Multi-Use)

Zone: C-1 (Central Retail Business)

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: David A. Newell, Associate Planner

PROJECT DESCRIPTION:

The proposed project is for the construction of a nursery garden shop that is approximately 720 square feet in size and a 4,000 square foot outdoor display area located at 2393 North Palm Canyon Drive.

RECOMMENDATION:

That the Planning Commission approve Case No. 3.3374 – MAJ for the construction of a 720 square foot nursery garden shop with outdoor display area.

PRIOR ACTIONS:

On August 24, 2009, the Architectural Advisory Committee (AAC) reviewed the project and by a vote of 4-0 recommended approval of the overall site plan (building, parking lot and fencing locations) but restudied the following:

1. Provide additional turning radius into first parking stall adjacent to N. Palm

- Canyon Drive.
2. Details on fence – provide street elevation
 3. Details on entry arbor
 4. Landscaping

On September 8, 2009, the AAC reviewed the restudied items and by a vote of 5-0 recommended approval to the Planning Commission with a recommendation to remove the top horizontal element from the fence. This recommendation has been added to the draft Conditions of Approval attached to the draft resolution.

BACKGROUND AND SETTING:

On July 8, 2009, the Planning Commission made a determination that a nursery garden shop is similar to other uses permitted in the C-1 Zone subject to these conditions: (1) that the shop is located along North Palm Canyon Drive, between Vista Chino Road and Tramway Road and (2) on a minimum half (0.5) acre lot.

The applicant proposes to construct the new nursery garden shop with outdoor display area on approximately 0.57 acres located on the west side of North Palm Canyon Drive, approximately 250 feet south of Racquet Club Road. The proposal will include a sales modular building, display area and plant material stock area surrounded by fencing. A wood picket fence will be located along Palm Canyon Drive and between the parking area and display / office area; a chain-link fence will be installed along the alleyway. Items for sale will include plants, sculptures and fountains.

Table 1: Surrounding General Plan Designations, Zones and Land Uses

| | General Plan | Zone | Land Use |
|-------|---------------------------------|---|---------------------------------------|
| North | MU / MU (Mixed Use / Multi-Use) | C-1 (Central Retail Business) | Commercial Building |
| South | MU / MU (Mixed Use / Multi-Use) | C-1 (Central Retail Business) | Vacant |
| East | MU / MU (Mixed Use / Multi-Use) | PD-113A (Planned Development) | Parking Lot of former Shopping Center |
| West | LDR(Low Density Residential) | R-2 (Limited Multiple-family Residential) | Multi-family Residential |

ANALYSIS:

The General Plan designation of the site is "MU / MU" (Mixed Use / Multi-Use), which allows for a 0.50 floor area ratio (FAR). The "MU / MU" designation states... *"Specific uses intended in these areas include community-serving retail commercial, professional offices, service businesses, restaurants, daycare centers, public and quasi-public uses. Residential development at a maximum density of 15 units per acre is permitted; planned development districts may allow residential densities up to 30 du/acre and also ensure that all proposed uses are properly integrated and allow the implementation of development standards that are customized to each site."* The proposed development

is for a community-serving retail commercial use that has a FAR of 0.03. Therefore, the proposed project is consistent with the General Plan.

Zoning and Development Standards

The subject property is located within the “C-1” (Central Retail Business) Zone. On July 8, 2009, the Planning Commission determined that a nursery garden shop may be permitted in the C-1 Zone if (1) the shop is located along North Palm Canyon Drive, between Vista Chino Road and Tramway Road and (2) the shop is on a minimum half (0.5) acre lot. The subject use meets these criteria and is therefore permitted by right. Staff has analyzed the development standards of the Professional Zone with the proposed development in table 2 below.

Table 2: Development standards of the “C-1” Zone and the proposed project:

| | C-1 Zone Requirements | Proposed Project (approximate for each) |
|-----------------------------|------------------------------|--|
| Lot Area | 20,000 square feet | 25,155 square feet (0.57 acres) |
| Lot Width | 100 feet | 250 feet |
| Lot Depth | 150 feet | 128 feet |
| Building Site Frontage | 100 feet | 250 feet |
| Front Yard Building Setback | 5 feet | 29 feet |
| Rear Yard Setback | 10 feet | 20 feet |
| Building Height | 30 feet maximum | feet |
| Building Coverage | No Requirement | 2.9% |
| Gross Floor Area Minimum | 2,000 sq. ft. | 2,875 sq. ft. ¹ |

¹ Pursuant to Section 91.00.10 *Definitions* of the PSZC, “Floor area” means the total horizontal area of all floors included within the exterior surface of the surrounding exterior walls of a building or portion thereof, exclusive of elevator shafts, light and stairwells, and other similar features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The office (720 sq. ft.) and attached shaded cloth area (2,155 sq. ft.) total 2,875 sq. ft.

Access and Parking

The main points of vehicular access to the site are from North Palm Canyon Drive and from the alley located at the rear of the property. A twenty-four foot wide driveway allows adequate vehicular flow on- and off-site between North Palm Canyon Drive and the alley. Parking is located north of the drive aisle. Access throughout the proposed project is designed according to the requirements of the Uniform Building Code and ADA rules, including accessible pathways, handicapped parking spaces and vehicular access.

The parking ratio outlined in Section 93.06.00(D) of the PSZC requires one parking space for every 500 square feet of floor area and/or outdoor display area. The total floor area and outdoor display area is approximately 5,800 square feet. Based on the parking requirements, a total of 12 parking spaces are required. The applicant has proposed 11 standard parking spaces. Therefore, the total floor area and outdoor display area must be reduced to no more than 5,500 square feet. A condition of

approval that limits the overall floor area and outdoor display area to 5,500 square feet has been added to the recommended conditions of approval.

Architecture

The proposed office space is a modular building that was previously used as a sales trailer for the Pedregal site at North Palm Canyon Drive and Tramway Road. The applicant has proposed to attach a shaded cloth structure to the building which will allow a covered outdoor display area. An entry arbor is proposed at the pedestrian entry to the outdoor display area. The proposed color palette reflects colors found in the surrounding mountains and desert vegetation. The landscaping includes a desert tolerant palette.

REQUIRED FINDINGS:

Architectural

The Zoning Ordinance Section 94.04.00(D)(1-9) provides guidelines for the Architectural review of development projects to determine whether the proposed development will provide a desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance is evaluated, based on consideration of the following:

1. Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;

Access throughout the proposed project is designed according to the requirements of the Uniform Building Code and ADA rules, including accessible pathways, handicapped parking spaces and vehicular access. The modular building will be oriented on the site in a balanced manner to allow for a good traffic flow and safe ingress and egress.

2. Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;

The property to the north has an existing two-story building; the land to the south is vacant. The proposed nursery garden shop has a harmonious relationship with the existing development since it is a relatively low impact development to adjoining properties.

3. Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;

The building is proposed at a height of less than ten feet which is below the maximum allowable height, and the structure is outside of all setback areas.

4. Building design, materials and colors to be sympathetic with desert surroundings; AND 5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures, which are visible simultaneously; AND 6. Consistency of composition and treatment;

The proposed building is a simple design and the attached shade structure will allow an extension of the interior space. An entry arbor is proposed at the pedestrian entry to the outdoor display area. The proposed color palette reflects colors found in the surrounding mountains and desert vegetation. The building is oriented to utilize good solar and wind control.

7. Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;

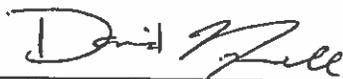
The site is primarily vacant. There are no specimen trees to preserve. The landscape design proposes drought tolerant trees, shrubs and groundcover. Emitters will deliver water to each individual plant, thereby practicing water efficient irrigation methods.

CONCLUSION:

The proposed project is consistent with the land use policies of the City. Furthermore, the Architectural Advisory Committee recommended approval of the project to the Planning Commission. Therefore, staff is recommending approval of the proposed project subject to the prepared draft Resolution with conditions of approval.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is a Categorical Exemption under Section 15303(c) – new construction of an office building not exceeding 2,500 square feet.



David A. Newell
Associate Planner



for Craig A. Ewing, AICP
Director of Planning Services

Attachments:

1. 400' Radius Map
2. Draft Resolution with Conditions of Approval
3. Site Plan and Landscape Plan
4. Elevations

RESOLUTION NO. 7236

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF PALM SPRINGS, CALIFORNIA,
APPROVING CASE NO. 3.3374-MAJ FOR THE
CONSTRUCTION OF A NURSERY GARDEN SHOP AT
2393 NORTH PALM CANYON DRIVE.

WHEREAS, Paul Mahoney and Chris Hermann (the "Applicants") have filed an application with the City pursuant to Section 94.04.00 of the Palm Springs Zoning Code (PSZC) for a Major Architectural application to allow the construction of a nursery garden shop located at 2393 North Palm Canyon Drive, APN(s): 504-224-005, 504-224-006, 504-224-007, 504-224-024, Section 3; and

WHEREAS, on September 23, 2009, a public meeting for a Major Architectural application 3.3374-MAJ was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including but not limited to the staff report and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to Section 15303(c) of the California Environmental Quality Act (CEQA) Guidelines, this project is Categorical Exempt from environmental assessment because the project involves new construction of a store not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet in floor area.

Section 2: Section 94.04.00(D) of the PSZC provides guidelines for the Architectural review of development projects. Conformance is evaluated, based on consideration of the following:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*

Access throughout the proposed project is designed according to the requirements of the Uniform Building Code and ADA rules, including accessible pathways, handicapped parking spaces and vehicular access. The modular building will be oriented on the site in a balanced manner to allow for a good traffic flow and safe ingress and egress.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The property to the north has an existing two-story building; the to the south is vacant. The proposed nursery garden shop has a harmonious relationship with

the existing development since it is a relatively low impact development to adjoining properties.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The building is proposed at a height of less than ten feet which is below the maximum allowable height, and the structure is outside of all setback areas.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*
AND,
6. *Consistency of composition and treatment,*

The proposed building is a simple design and the attached shade structure will allow an extension of the interior space. An entry arbor is proposed at the pedestrian entry to the outdoor display area. The proposed color palette reflects colors found in the surrounding mountains and desert vegetation. The building is oriented to utilize good solar and wind control.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The site is primarily vacant. There are no specimen trees to preserve. The landscape design proposes drought tolerant trees, shrubs and groundcover. Emitters will deliver water to each individual plant, thereby practicing water efficient irrigation methods.

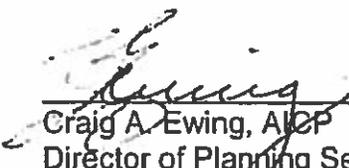
NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Major Architectural application (Case 3.3374-MAJ), subject to those conditions set forth in the attached Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 23rd day of September, 2009.

AYES: 7, Donenfeld, Scott, Conrad, Hudson, Munger, Caffery and Cohen
NOES: None.
ABSENT: None.
ABSTAIN: None.

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



Craig A. Ewing, AICP
Director of Planning Services

CITY OF PALM SPRINGS

APPROVED BY PLANNING COMMISSION

Case # 3.3374 Date 9-23-09 Initial ON
MAJ

RESOLUTION NO. 7236

~~APPROVED BY CITY COUNCIL~~

EXHIBIT A

Case # _____ Date _____ Initial _____

Case 3.3374-MAJ
Aunt Effie's Gardens

Resolution # _____ Ordinance # _____

APPROVAL SUBJECT TO ALL REQUIRED
CONDITIONS BY ABOVE BODIES

2393 North Palm Canyon Drive
APN(s): 504-224-005, 504-224-006, 504-224-007, 504-224-024

September 23, 2009

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

PROJECT SPECIFIC CONDITIONS

- PSP 1. The project shall be reviewed by the Planning Commission if any one of the following things occurs:
- The use has changed,
 - The property has been abandoned, or
 - Three (3) years after the approval date.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the construction of a single-story nursery garden shop on approximately 0.57 acres, located at 2393 North Palm Canyon Drive (APN(s): 504-224-005, 504-224-006, 504-224-007, 504-224-024). The site shall be developed and maintained in accordance with the approved plans including site, landscape and irrigation plans and architectural elevations on file in the Planning Division except as modified by the conditions below.
- ADM 2. The project shall further conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 3. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim,

action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3374-MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 4. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 5. Time Limit on Approval. Approval of the Major Architectural application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 6. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 7. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and

approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) required. All projects within the City of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA). An administrative fee for filing the Categorical Exemption with the County shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be final until such fee is paid.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Floor Area and Outdoor Display. Pursuant to Section 93.06.00(D)(23) of the Zoning Code, the subject use is permitted to have a total floor area and outdoor display area that does not exceed 5,500 square feet. Any expansion of these areas may require additional parking as required by the Zoning Code.
- PLN 2. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning Code, shall be submitted for approval by the Department of Planning Services prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 3. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Refer to Chapter 8.60 of the Municipal Code for specific requirements.
- PLN 4. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:

1. The applicant shall remove the top horizontal element (cedar cap) from the fence along Palm Canyon Drive and adjacent to the parking area.
- PLN 5. Sign Applications Required. Separate approval and permits shall be required for all signs in accordance with Zoning Code Section 93.20.00.
- PLN 6. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as off-white, beige or tan. Bright white should be avoided where possible."
- PLN 7. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 8. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Code.
- PLN 9. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 10. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 11. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 12. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

POLICE DEPARTMENT CONDITIONS

- POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

- BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Applicant shall obtain State permits and approval of plans for all work done on State Highway 111. A copy of an approved Caltrans encroachment permit shall be provided to the City Engineer prior to the issuance of any grading or building permit.

N. PALM CANYON DRIVE

- ENG 3. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

- ENG 4. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

SANITARY SEWER

- ENG 5. The applicant will not be required to connect the modular building to the public sewer system provided that the self-contained septic system is maintained regularly, and that the restroom facilities have limited public use. The City reserves the right to require that the modular building be connected to the public sewer system within 90 days of the City's written notice.

GRADING

- ENG 6. Submit a Precise Grading and Paving Plan prepared by a California registered Civil engineer or landscape architect to the Engineering Division for review and approval. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.
- a. Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust

Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that has completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; and a copy of current Title Report.
- ENG 7. Prior to approval of a Grading Plan, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
 - ENG 8. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
 - ENG 9. Perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
 - ENG 10. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs

Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 11. Contact Desert Water Agency at (760) 323-4971 Ext. 146 to determine impacts to any existing Whitewater Mutual Water Company water lines and other facilities that may be located within the property if any. Make appropriate arrangements to protect in place or relocate any facilities that are impacted by the development. A letter of approval for relocated or adjusted facilities from Desert Water Agency shall be submitted to the Engineering Division prior to approval of the Grading Plan.
- ENG 12. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 13. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

- ENG 14. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 15. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City.

Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).

ENG 16. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$6,511 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

ENG 17. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 18. All proposed utility lines shall be installed underground.

ENG 19. The record property owner shall enter into a covenant agreeing to underground all of the existing overhead utilities required by the Municipal Code in the future upon request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the applicant prior to issuance of any grading or building permits.

ENG 20. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 21. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and

format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 22. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 23. Nothing shall be constructed or planted in the corner cut-off area of any (intersection or) driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 24. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 25. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

- ENG 26. Lot 24, 25, 26, 27, and 28 of the Palm Springs Village Tract, Map Book 19, Page 3, shall be merged or otherwise a Covenant To Use As One shall hold all of the lots together as a single lot as necessary to comply with the Zoning Code land use requirement of a minimum lot size of 0.5 acres.

TRAFFIC

- ENG 27. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 28. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.
- ENG 29. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

- FID 1. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated 7/30/09. The submitted plans do not provide enough detail. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. Fire Department Conditions were based on the 2007 California Fire Code.
- FID 3. **Premises Identification (CFC 505.1):** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high with a minimum stroke width of 0.5".
- FID 4. **Combustible Storage (CFC 315.3):** Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line.
- FID 5. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 6. **Fences (CFC 503.1.5):** When fences are installed that cause the distance from an approved fire department access road to exceed the maximum distance allowed in Section 503 herein, a gate shall be provided in the fence to maintain the required fire department access. The gate shall be a minimum four (4) feet in width and be equipped with a key box and/or lock accessible from both sides in accordance with Section 506 herein.
- FID 7. **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.
- FID 8. **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** A new commercial fire hydrant shall be installed within 250 feet of all combustible construction. It shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.

- FID 9. **Fire Flow (CFC 508.3):** Fire flow requirements for buildings or portions of buildings and facilities are estimated to be 1,500 GPM for the 720 SF commercial building. The fire flow was based on Appendix B of the 2007 CFC.
- FID 10. **Portable Fire Extinguisher (CFC 906.1):** Portable fire extinguishers shall be installed. Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Portable fire extinguishers shall not be obstructed or obscured from view. Portable fire extinguishers shall be installed so that the top is not more than 5 feet above the floor.
- FID 11. **2,160 S.F. Shade Cloth Area (CBC 3105) AWNINGS AND CANOPIES:** Awnings or canopies shall comply with the requirements of this section.
- FID 12. **Design and Construction (CBC 3105.3):** Awnings and canopies shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 of the CBC.
- FID 13. **Canopy Materials (CBC 3105.4):** Canopies shall be constructed of rigid framework with an approved covering that meets the fire propagation performance of NFPA 701 or has a flame spread index not greater than 25 when tested in accordance with ASTM E 84.

END OF CONDITIONS

Meeting Date: 09/12/2018

Subject

J5 INFRASTRUCTURE ON BEHALF OF AT&T MOBILITY FOR A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF TWELVE 8-FOOT TALL PANEL ANTENNAS ON THE ROOF TOP OF AN EXISTING WAREHOUSE BUILDING LOCATED AT 770 SOUTH GENE AUTRY TRAIL, ZONE M-1, SECTION 20. (CASE 5.1438 CUP). (ER) *(continued from the JULY 11, 2018 MEETING)*

RECOMMENDATION: Recommend approval to the City Council.

Attachments

AT&T Mobility



CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: September 12, 2018

To: Planning Commission

From: Edward Robertson, Principal City Planner 

Subject: J5 INFRASTRUCTURE ON BEHALF OF AT&T MOBILITY FOR A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF TWELVE 8-FOOT TALL PANEL ANTENNAS ON THE ROOF TOP OF AN EXISTING WAREHOUSE BUILDING LOCATED AT 770 SOUTH GENE AUTRY TRAIL, ZONE M-1, SECTION 20 (CASE 5.1438 CUP) (ER).

On July 11, 2018, the Planning Commission considered a proposed Conditional Use Permit application for the installation and operation of a wireless communications facility consisting of twelve (12) 8-foot tall panel antennas on the roof of an existing warehouse building. At the hearing, the Commission expressed concerns relative to the locations of the antennas and their screenings. The Commission voted to continue the hearing to a date certain of September 12, 2018, and asked the project Engineer to consider placing the antennas in a less obtrusive area of the roof top of the building.

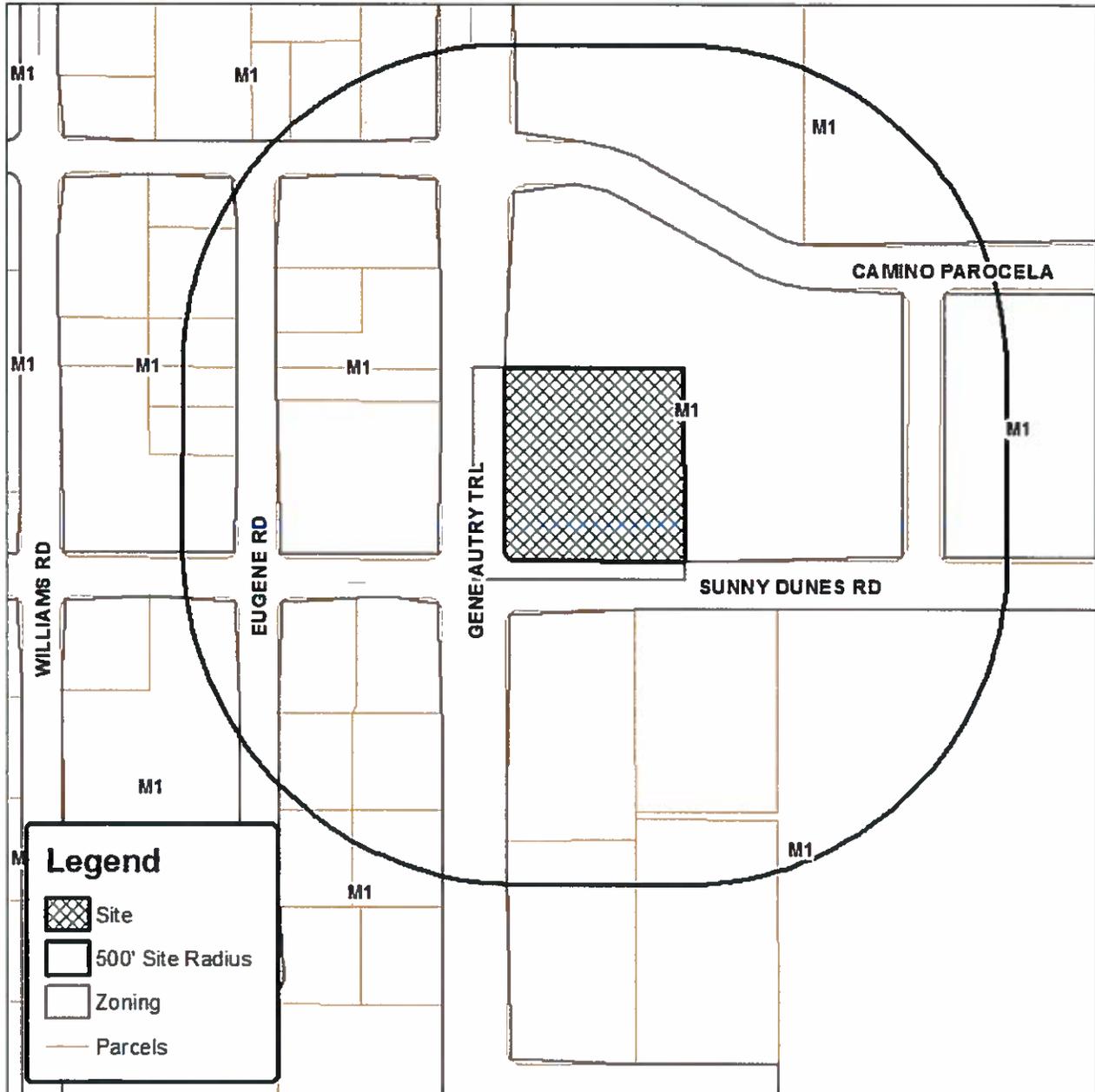
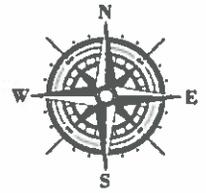
The applicant has submitted a revised plan that spreads the twelve antennas in three different sections of the roof top of the existing warehouse building. The three different locations on the roof top are designated as Antenna Location Sector A, B & C. Sector A is located at the middle of the roof top on the easterly elevation; Sector B is located at the middle of the roof top on the north elevation and Sector C is located at the middle of the roof top on the south elevation of the building. As with the original proposal, the antennas will be screened by eight foot (8') tall walls and will be painted to match the colors of the existing building. The maximum height of buildings and structures within the M-1 zone is forty (40) feet. Staff has reviewed the revised plans and found them to be consistent with the Commission's directions; the revised plans also address concerns expressed by the Planning Commission at the initial review of the proposal.

Attachments:

1. Vicinity Map
2. Planning Commission Minutes from the meeting of July 11, 2018.
3. Staff Report from the meeting of July 11, 2018
4. Draft Planning Commission Resolution and Conditions of Approval
5. Justification Letter from applicant received August 30, 2018.
6. Revised Exhibits
7. Revised Photo Simulations



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS
770 SOUTH GENE AUTRY TRAIL

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT, CASE NO. 5.1438-CUP TO THE CITY COUNCIL FOR THE INSTALLATION AND OPERATIONS OF TWELVE UNMANNED EIGHT-FOOT HIGH COMMERCIAL COMMUNICATIONS ANTENNA ON THE ROOF TOP OF AN EXISTING WAREHOUSE BUILDING LOCATED AT 770 SOUTH GENE AUTRY TRAIL.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. J5 Infrastructure, ("Applicant") has filed an application on AT&T Mobility with the City pursuant to Sections 94.02.00, 93.23.08 and 94.06.00 of the Palm Springs Zoning Code (PSZC) for the installation of an unmanned telecommunications facility, consisting of twelve 8 foot high antennas and equipment shelter located at 770 South Gene Autry Trail, M-1 Zone, Section 20.

B. A notice of public hearing of the Planning Commission of the City of Palm Springs to consider the application for Conditional Use Permit, Case No. 5.1438-CUP was given in accordance with applicable law; and

C. On September 12, 2018, a public hearing on the application for Conditional Use Permit, Case No. 5.1438 was held by the Planning Commission in accordance with applicable law.

D. The proposed Conditional Use Permit is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).

E. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

F. Pursuant to Section 94.02.00 of the Zoning Code, the Planning Commission finds as follows:

- a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

Pursuant to Sections 92.17.01(A)(1) of the PSZC, a commercial communications antenna is authorized within the M-1 zoning designation with the approval of a Conditional Use Permit.

- b. *The use applied for is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, the use as proposed is compatible with this designation as it supports cellular needs of the surrounding light industrial, service, manufacturing, commercial and residential uses in the area. Furthermore, the development of adequate cellular phone levels of services in the area serves the ultimate benefit of the community.

- c. *The site for the intended use is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.*

The proposal meets all the development standards of the zone including the antenna height requirement. The equipment will be placed in a leased area located at the easterly portion of the site. Existing parking in the location will adequately serve the proposed facility and existing business operation. The use will occupy only a small portion of the site. Therefore, the site for the intended use will accommodate the proposed facility.

- d. *The site for the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The only traffic generated by the proposed use to and from the site will be for maintenance; the communication facility will be unmanned. The existing building and operations will accommodate the traffic necessary for the maintenance of the facility.

- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval. Conditions requiring removal of antenna upon use-change or abandonment of the subject property and compliance with all Federal Airport Administration requirements are included in the draft conditions of approval.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends approval of Conditional Use Permit Case No. 5.1438-CUP to the City Council, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 12th day of September, 2018.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Case 5.1432 CUP – J5 Infrastructure on behalf of AT&T Mobility

770 South Gene Autry Trail

September 12, 2018

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1438-CUP except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped May 28, 2018, including site plans, architectural elevations and colors on file in the Planning Division except as modified by the approved by conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City, County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1438 CUP. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter

and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 10. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Signage. Signage is prohibited on the exterior of the antenna screening structure.

- PLN 2. Maintenance. Maintenance of the antennas is a condition of approval for the CUP. The City shall notify the antenna owner of maintenance issues such as missing screening parts or overall site conditions through a Code Enforcement action.
- PLN 3. Antenna Structure Height. The maximum height of the commercial communications antenna structure shall be eight (8') feet, as measured from top of existing building roof top to the top of the antenna.
- PLN 4. Screening. Equipment yard to be fully screened by a six (6') foot tall CMU block wall painted of-white color to match existing building.
- PLN 5. Outdoor Lighting Conformance. Exterior lighting shall conform to Section 93.21.00, Outdoor Lighting Standards, of the Palm Springs Zoning Code. Manufacturer's cut sheets of all exterior lighting shall be submitted to the Planning Department for approval prior to the issuance of building permits. No lighting of hillsides is permitted.
- PLN 6. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 7. Modification or Addition. If the communication antennas or equipment cabinets are ever proposed to be modified in any manner such as the inclusion of other antennas, satellite dishes and / or other support equipment, the proposed modifications shall be submitted to the Director of Planning Services for review and approval prior to installation.
- PLN 8. Obsolete Technology. If the technology regarding the communications antenna(s) changes in where the antenna(s) and / or equipment cabinets as approved become obsolete, then the antenna shall be removed.
- PLN 9. Property Use and CUP. If the use of the subject property is ever changed, the City reserves the right to modify or revoke this Conditional Use Permit application pursuant to Section 94.02.00(I) of the Zoning Code.
- PLN 10. Valid Lease Agreement Required. If the lease agreement between the property owner and the applicant expires and is not renewed, the CUP will become null and void, and the applicant shall remove the antenna and equipment to the satisfaction of the Director of Planning Services.
- PLN 11. Use Abandonment. If the antenna(s) and/or monopole are ever abandoned or if this Conditional Use Permit ever expires, the monopole and antenna(s) shall be removed within 30 days.
- PLN 12. FAA & FCC Compliance. The applicant shall comply with the requirements of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC).

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

END OF CONDITIONS



Planning Commission Staff Report

DATE: July 11, 2018

New Business

SUBJECT: J5 INFRASTRUCTURE ON BEHALF OF AT&T MOBILITY FOR A CONDITIONAL USE PERMIT TO INSTALL A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF TWELVE 8-FOOT TALL PANEL ANTENNAS ON THE ROOF TOP OF AN EXISTING WAREHOUSE BUILDING LOCATED AT 770 SOUTH GENE AUTRY TRAIL, ZONE M-1, SECTION 20. (CASE 5.1438 CUP) (ER).

FROM: Department of Planning Services

SUMMARY

This is a request for the Planning Commission to consider a proposed Conditional Use Permit (CUP) application for the installation and operation of a wireless telecommunications facility. The proposal will consist of twelve 8-foot high panel antennas to be mounted in two locations on roof top behind eight foot (8') tall screen wall on an existing industrial building.

RECOMMENDATION:

The Planning Commission to recommend approval to the City Council, subject to the attached Conditions of Approval and project specific condition below:

- The applicant to relocate the twelve antennas from their current proposed locations to the center of the building for less visibility from public view.

BACKGROUND:

| Planning Areas | | |
|-----------------------|------|--|
| Specific Plan | None | |
| Design Plan | None | |
| Airport Overlay | Yes | Zone E of Airport Influence Area, Riverside County Airport Land Use Compatibility Plan |
| Indian Land | None | |

| Most Recent Ownership | |
|------------------------------|--------------|
| 1988 | Todd Burgess |

| Neighborhood Meeting | |
|-----------------------------|--------------|
| None | Not Required |

| Field Check | |
|--------------------|--|
| 05/20/18 | Staff visited the site to observe existing conditions. |

| Site Area | |
|------------------|-----------|
| Net Area | 1.9 Acres |

| Surrounding Property | General Plan Designations | Existing Land Use | Existing Zoning Designations |
|----------------------|---------------------------|----------------------|------------------------------|
| Subject Property | IND (Industrial) | Moving Storage | M-1 |
| North | RC (Reg. Comm.) | Undeveloped | M-1 |
| South | IND (Industrial) | Undeveloped | M-1 |
| East | RC (Reg. Comm.) | Undeveloped | M-1 |
| West | IND (Industrial) | Plumbing/Storage Use | M-1 |



PROJECT LOCATION

BACKGROUND AND SETTING:

The subject property is approximately 1.9 acres in size and located at the southeast corner of South Gene Autry Trail and Sunny Dunes Road. According to City records, the two-story building was constructed in 1989 and it is currently used as a storage and

distribution facility. The site is bordered to the east, south and north by undeveloped parcels. To the west of the building across Gene Autry Trail, there is a plumbing and storage facility and other light industrial uses.

PROJECT DESCRIPTION:

The proposal is a request for a Conditional Use Permit (CUP) for the installation and operation of an unmanned telecommunications facility consisting of twelve (12) eight foot (8') panel antennas. The antennas are proposed to be mounted in two locations on the roof top of an existing thirty foot (30') tall building located in an M-1 (Service/Manufacturing) zone. The antennas will be screened by eight foot (8') tall walls and will be painted to match the colors of the existing building. The maximum height of buildings and structures within the M-1 zone is forty (40) feet. The project will include an equipment enclosure to be located in a 275-square feet leased space at the easterly portion of site. The associated operating and support equipment such as the diesel generator, batteries and cables will be housed in the equipment enclosure. The walls of the equipment enclosure will also be painted to match the colors of the existing building.

ANALYSIS:

Table 1

| General Plan | |
|--|-------------------|
| Land Use Designation | Compliance |
| IND (Industrial) | Conforms |
| Specific Plan | |
| Airport Land Use Compatibility Plan Area | Conforms |

Table 2

| Zoning – Uses & Lot Standards | | | |
|--|---------------------------------|--------------------|-------------------|
| | Palm Springs Zoning Code | Proposed: | Compliance |
| Uses permitted | M-1 | Commercial Antenna | Conforms |
| Lot Standards | | | |
| Min. Lot Area | 20,000 Square feet | 1.9 Acres | Conforms |
| Min. Width | Minimum: 150 Ft. | 390 Ft. | Conforms |
| Min. Depth | Minimum: 100 Ft. | 387 Ft. | Conforms |
| Zoning – Building Development Standards | | | |
| | Palm Springs Zoning Code | Proposed: | Compliance |
| Building Height | 40 Feet | 38 feet Max. | Conforms |
| Walls | 8 Feet | 8 Feet | Conforms |
| Yard Setbacks | | | |
| Front | 25 Feet | 28 Feet | Conforms |
| Side | 20 Feet | 77 Feet | Conforms |
| Side (Sunny Dunes) | 20 Feet | 38 Feet | Conforms |
| Rear | 20 Feet | 151 Feet | Conforms |

Antenna Height:

Pursuant to Section 93.23.08(C)(2)(c)(i) of the PSZC, height and placement limitations of communication antennas within the M-1 Zones states...*“no part of the antenna structure shall extend to a height of more than sixty (60) feet above ground level”*. The top of the antenna structure is proposed at eight feet above the existing building roof top. The antennas will be mounted behind two eight foot (8') tall enclosures; one at the north easterly portion of the building roof and the second at the south easterly portion of the roof. The M-1 zoning designation allows up to a maximum of forty (40) foot tall buildings and structures. A coverage map, radio frequency emission compliance report and photo simulations submitted by the applicant are attached to this report. Findings in support of the CUP are found below.

REQUIRED FINDINGS:

Conditional Use Permit:

The Planning Commission must make certain findings in order to approve this Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code; those findings are analyzed by staff below:

- a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

Pursuant to Sections 92.17.01(A)(1) of the PSZC, a commercial communications antenna is authorized within the M-1 zoning designation with the approval of a Conditional Use Permit.

- b. *The use applied for is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, the use as proposed is compatible with this designation as it supports cellular needs of the surrounding light industrial, service, manufacturing, commercial and residential uses in the area. Furthermore, the development of adequate cellular phone levels of services in the area serves the ultimate benefit of the community.

- c. *The site for the intended use is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.*

The proposal meets all the development standards of the zone including the antenna height requirement. The equipment will be placed in a leased area located at the easterly portion of the site. Existing parking in the location will adequately

serve the proposed facility and existing business operation. The use will occupy only a small portion of the site. Therefore, the site for the intended use will accommodate the proposed facility.

- d. *The site for the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

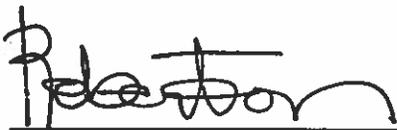
The only traffic generated by the proposed use to and from the site will be for maintenance; the communication facility will be unmanned. The existing building and operations will accommodate the traffic necessary for the maintenance of the facility.

- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

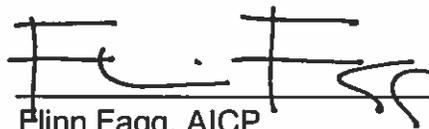
The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval. Conditions requiring removal of antenna upon use-change or abandonment of the subject property and compliance with all Federal Airport Administration requirements are included in the draft conditions of approval.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt as a Class III exemption per Section 15303 (New Construction or Conversion of Small Structures).



Edward Robertson
Principal City Planner



Plinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Site Photos
5. Photo Simulations
6. Coverage Maps & Radio Frequency Emission Compliance Report.
7. Site Plan & Elevations of existing building and equipment enclosure



Authorized Agent for AT&T Mobility

AT&T Project Number: **CSL02615**

AT&T Project Name: **Burgess North American**

**City of Palm Springs
Conditional Use Permit**

Project Information, Justification Analysis, Written Narrative and Analysis

AT&T Mobility (AT&T) is requesting approval of a Conditional Use Permit for the operation and construction of an unmanned wireless telecommunications facility and presents the following project information for your consideration.

Project Specific Location

Burgees North American

Address: 770 S. Gene Autry Trail, Palm Springs, CA 92264

APN: 680-170-063

Zoning: General Commercial

Project Authorized Representative

Melissa Francisco/J5.

19519 Jacob Ave., Cerritos, CA 90703

Phone: 562.972.5161 E-mail: Mfrancisco@j5ip.com

AT&T Mobility Contact

Gunjan Malik – Region Project Manager

AT&T Mobility - RELO - Los Angeles Market

Mobile: 562.650.5681

Project Description – Option B

AT&T is requesting approval of a Conditional Use Permit for the operation and construction of an unmanned wireless telecommunications facility located at 770 S. Gene Autry Trail.

The following will be installed on install on the roof-top in (3) sectors, centered at roofline, to be screened by screen walls to match the existing texture and finish of existing building: (12) 8' panel antennas, (36) Radio Remote Units, (3) DC-6, (2) Purcell Cabinets, (2) Power Plant, (2) Fiber Cabinet, (1) Telco Cabinet, (1) AC Panel Cabinet, cable tray, (1) 30KW Diesel Back-up Generator, CMU Wall w/caged ladder with security door.

In accordance with the City of Palm Springs ordinance for antennas (Part 93.23.08), the proposed facility is necessary to close the significant gap in coverage, increase network capacity and maintain service quality between Ramon & 34th. Also it is designed in the least intrusive means and camouflage with existing building.

AT&T Project Number: CSL02615

Project Objectives

The purpose of the proposed site locations is to close this service coverage gap and provide sufficient high-band, in-building coverage for AT&T customers in the surrounding area. In short, to close the gap in the high-band spectrum:

- Coverage: No Service, or insufficient Service in the area (Indoor, Outdoor or Vehicular) and can apply specifically to the type of service provided (Voice or Data – GSM, 3G, 4G).
 - Current location having to be relocated and this is the ideal site.
- Quality: Service exists but strength of signal is weak, scarce or inadequate for use.
- Capacity; Existing service is insufficient to meet existing demand by customers in and traversing through the area. Existing facilities servicing the area are overloaded preventing service, dropped calls or complete denial of service during peak usage hours.

In this specific case, this location was selected because AT&T Radio Frequency (RF) engineers have identified that there will be a Significant Gap of coverage/capacity in the area of the intersection and surrounding areas between Ramon & 34th. The accompanying Coverage Maps and Radio Frequency Statements display the significant gap in indoor coverage impacting residents and businesses in the area. Furthermore, AT&T wireless telecommunication facilities in the area have reached capacity due to heavy data and call volume during peak hours for customers living and commuting in the area. The proposed facility will provide relief to the area. The proposed wireless telecommunication facility is the least intrusive option, will give relief to surrounding facilities and improve overall service in the area for both Data and Phone service.

Overall Benefits to the Community

This is a critical time in the evolution of technology. People are less tethered to a home or desk phone and need access to the people and information anytime, anywhere. This requires adding new and improving existing wireless facilities to handle voice and data faster, and installing new fiber optic cables and associated equipment to route and direct traffic on our wireline network. Wireless data traffic on the AT&T network grew more than 100,000% from 2007 through 2014, largely due to the increasing popularity of advanced smartphones.

According to a PEW Research article released on January 7, 2015, the number of Americans who rely only on a cellphone for their telephone service continues to grow. Fully 43% of U.S. adults live in a household with a cellphone and no landline phone, according to new government data for the first half of 2014. According to an extrapolation by Pew Research Center, an estimated 46.5% of adults are cell-only today. The new generation of homebuyers relies to an even greater degree on wireless.

What does this build mean for the Community?

- This build means our customers are expected to see continued and better coverage, expanded broadband connections, fewer dropped calls, and faster speeds when streaming and downloading media.
- Investment in infrastructure enhances the community tax base.
- AT&T has designed solutions to help improve public safety operations by enabling voice, video and data communications throughout agencies.
- This should benefit customers not only in everyday communications, but also in emergency situations.

Wireless Emergency Alert (WEA) systems notify the public (Emergency Text Messaging). (Utilized during recent events in Boston, MA).

Safety – RF is Radio

The FCC regulates RF emissions to ensure public safety. Standards have been set based on peer-reviewed scientific studies and recommendations from a variety of oversight organizations, including the National Council on Radiation Protection and Measurements (NCRP), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency (EPA), Federal Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), and National Institute for Occupational Safety and Health (NIOSH).

Although the purview of the public safety of RF emissions by the FCC was established by the Telecommunications Act of 1996, these standards remain under constant scrutiny. All AT&T cell sites operate well below these standards, and the typical urban cell site operates hundreds or even thousands of times below the FCC's limits for safe exposure.

AT&T as a company and its contribution to the community:

Since 2007, AT&T has invested more capital into the U.S. economy than any other public company. In a September 2014 report, the Progressive Policy Institute ranked AT&T No. 1 on its list of U.S. "Investment Heroes," as in previous 2 years. This list focuses on identifying the U.S.-based corporations with the highest levels of domestic capital expenditures, as defined by spending on plants, property, and equipment in the United States.

AT&T Mobility Company Information

AT&T is recognized as one of the leading worldwide providers of IP-based communications services to businesses. As of the 2nd Quarter of 2017, AT&T has the nation's largest 5G network—covering more than 500 million people and serving 188.9 million wireless subscribers.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and other applicable laws.



The enclosed application is presented for your consideration. AT&T requests the approvals of a Conditional Use Permit to build the proposed facility. Please contact me at 562-972-5161 with any questions or request for additional information.

Respectfully submitted,

Melissa Francisco, Project Manager Manager
Authorized Agent of AT&T Mobility

AT&T Project Number: CSL02615

LTE Justification Plots

Market Name: Los Angeles

Site ID: CSL02615

Site Address: BURGESS NORTH AMERICAN 770 S GENE AUTRY TRAIL PALM SPRINGS, CA 92264

ATOLL Plots Completion Date: Mar 22, 2018

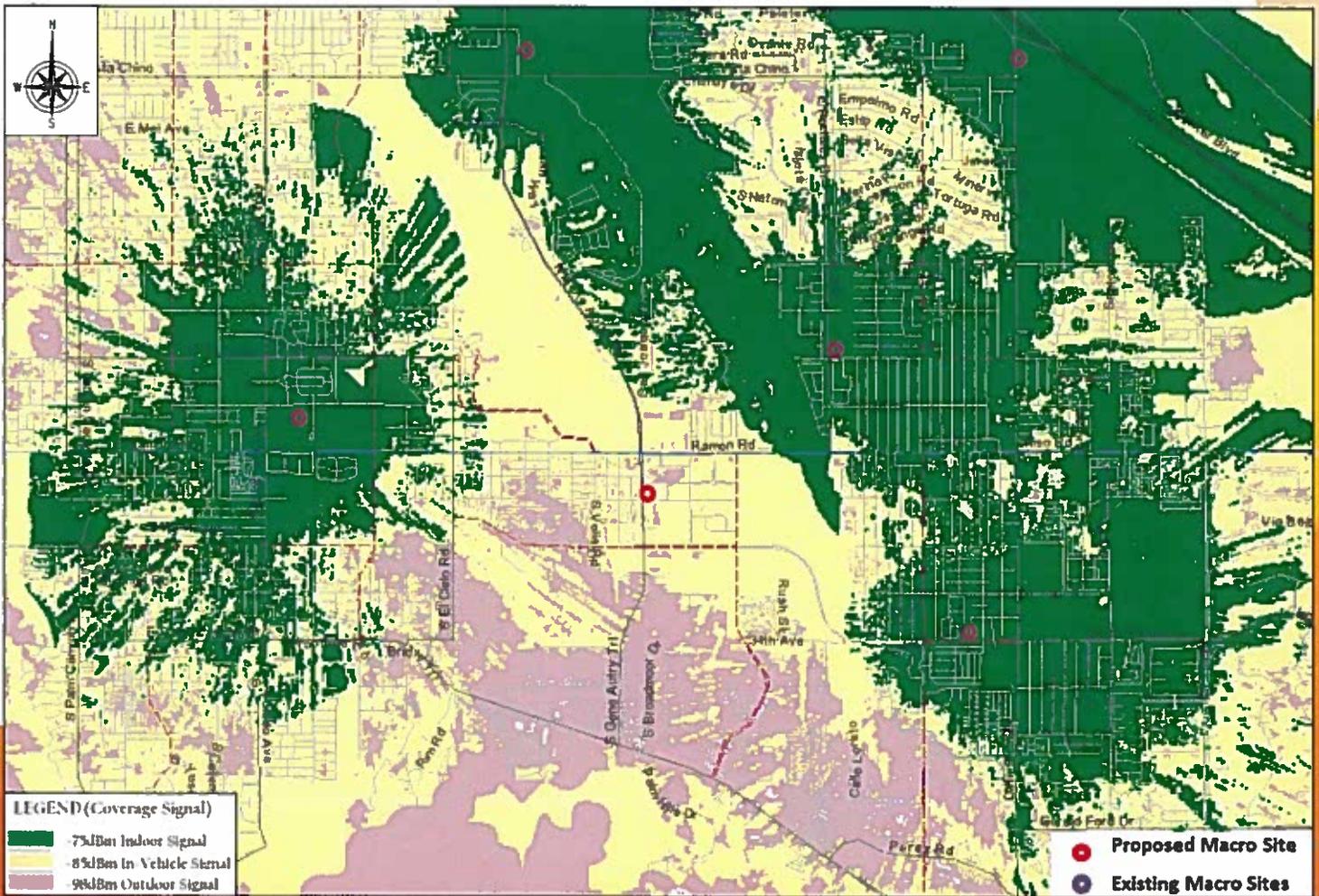


Assumptions

- ❖ Propagation of the site plots are based on our current Atoll (Design tool) project tool that shows the preferred design of the AT&T 4G-LTE network coverage.
- ❖ The propagation referenced in this package is based on proposed LTE coverage of AT&T users in the surrounding buildings, in vehicles and at street level . For your reference, the scale shown ranges from good to poor coverage with gradual changes in coverage showing best coverage to marginal and finally poor signal levels.
- ❖ The plots shown are based on the following criteria:
 - **Existing:** Since LTE network modifications are not yet **On-Air**. The first slide is a snap shot of the area showing the existing site without LTE coverage in the AT&T network.
 - **The Planned LTE Coverage with the Referenced Site:** Assuming all the planned neighboring sites of the target site are approved by the jurisdiction and the referenced site is also approved and **On-Air**, the propagation is displayed with the planned legends provided.
 - **Without Target site:** Assuming all the planned neighboring sites are approved by the jurisdiction and **On-Air** and the referenced site is **Off-Air**, the propagation is displayed with the legends provided.



LTE Coverage Before site CSL02615



Coverage Legend

Rethink Possible®



In-Building Service: In general, the areas shown in dark green should have the strongest signal strength and be sufficient for most in-building coverage. However, in-building coverage can and will be adversely affected by the thickness/construction type of walls, or your location in the building (i.e., in the basement, in the middle of the building with multiple walls, etc.)

In-Transit Service: The areas shown in the yellow should be sufficient for on-street or in-the-open coverage, most in-vehicle coverage and possibly some in-building coverage.

Outdoor Service: The areas shown in the purple should have sufficient signal strength for on-street or in-the-open coverage, but may not have it for in-vehicle coverage or in-building coverage.

Radio Frequency Emission Compliance Report

GCB Services



Delivering solutions for your success

Site Name: BURGESS NORTH AMERICAN (CSL02615)

Site Address: 770 S GENE AUTRY TRAIL, PALM SPRINGS, CA 92264

USID: 195376

FA Location: 14296245

Site Type: Roof Top

Latitude & Longitude: 33.8127,-116.4925

Report Date: 03/20/2018

Pace#: MRLOS048602/ MRLOS048646/ MRLOS048652
MRLOS038658/ MRLOS048513/ MRLOS048729

RFDS ID: 2275231 | CSL02615 | 03/12/2018 | V2.00

Construction Drawing: CSL02615_100_ZD_02-09-18 RF Approved 2.19.2018

Site Compliance Statement: Based on the result of simulations, this site will be in compliance with FCC Standards for General Population upon applying the proposed changes in Section 2.



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1. Executive Summary

AT&T has contracted with GCB Services, an independent Radio Frequency consulting firm, to conduct a Radio Frequency Exposure (RFE) Compliance Assessment of the **BURGESS NORTH AMERICAN (CSL02615)** cell site. The following report contains a detailed summary of the Radio Frequency environment as it relates to Federal Communications Commission (FCC) and Occupational Safety & Health Administration (OSHA) Rules and Regulations for all individuals.

In this report, it is assumed that all antennas are operating at full power at all times. Software modeling was performed for all transmitting antennas located on the site. GCB Services has further assumed a 100% duty cycle and maximum radiated power. GCB believes this to be a worst case analysis, based on best available data.

Relevant administrative and compliance-related information about the antenna site area is summarized in the table below:

| | | |
|----------------------------------|-----------|---|
| Max AT&T MPE% at Ground Level | :1.22% | AT&T 5% Contributor to Areas Requiring Mitigation? No |
| Max AT&T MPE% at Main Roof Level | :1126.39% | AT&T 5% Contributor to Areas Requiring Mitigation? No |

Table 1 Predictive MPE General Population Standard

This report utilizes the following for predictive modeling of the ambient RF environment:

MPE Modeling Program: ROOFMASTER 10.0.3.20.15

Required Modeling Assumptions: 100% Duty Cycle and Maximum Total Power Output.

The simulation plots show the spatial predicted power exposure as a percentage of the General Population Standard. Please note that 100% MPE of General Population corresponds to 20% of the Occupational Standard.

Ground Level

AT&T MPE% at this level is 1.22% of General Population Standard. No mitigation required.

Main Roof Level:

AT&T MPE% at this level is 1126.39% of General Population Standard. Mitigation required.

GCB's proposed Mitigation:

Sector A: Emission is outside from the roof. No action needed.

Sector B: Emission is outside from the roof. No action needed.

Sector C: Install 17ft barriers with caution2 sign on the left side of the sector C to cover emission area. GCB recommends installing barriers 6ft from the roof edge, since the roof is unprotected (with less than 3' parapet). (See section 2 figure 1)

2. Compliance Statement

Based on the result of simulation: The AT&T transmitting equipment at the site is not compliant with FCC guidelines for General Population environments. Site will be in compliance with the stated guidelines upon implementing the proposed mitigation below. Proposed signage and mitigation is as per AT&T Guidelines ATT-002-290-078 RF Exposure: Responsibilities, Procedures & Guidelines Issue 7, 10/28/14.

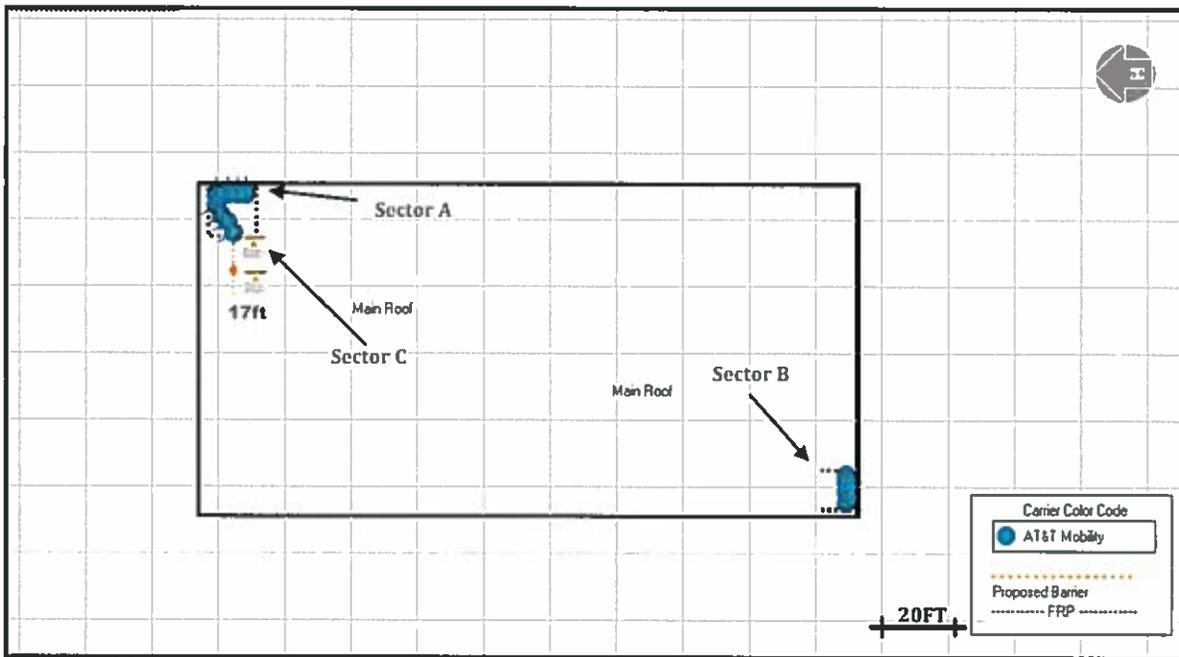


Figure 1 Presentation of the proposed signs

| Signage Legend | | | | | | | | | | Barrier | |
|----------------|----------|-------|----------|----------|---------|----------|-----------|---------------|-------|---------|-------|
| | Info1 | Info2 | Notice 1 | Caution1 | Warning | Notice-2 | Caution-2 | Tower Caution | Info4 | Left | Right |
| | Sector A | - | - | - | - | - | - | - | - | - | - |
| Sector B | - | - | - | - | - | - | - | - | - | - | - |
| Sector C | - | - | - | - | - | - | 2 | - | - | 17ft | - |

3. Antennas Inventory

| Ant # | Name | Freq (MHz) | Number of Tx | Input Power (watts) | ERP | Mfg | Model | X (ft) | Y (ft) | Z1 (ft) | Z2 (ft) | Gain in dbd | Azimuth | HBW | Down tilt | Length (m) |
|-------|---------------|------------|--------------|---------------------|---------|----------|-------------|--------|--------|---------|---------|-------------|---------|-----|-----------|------------|
| 1 | AT&T Mobility | LTE 700 | 2 | 80 | 1811.34 | Kathrein | 800-10966 K | 14 | 97 | 30 | 2 | 13.55 | 90 | 66 | 0 | 2.44 |
| 1 | AT&T Mobility | LTE 1900 | 4 | 160 | 6152 | Kathrein | 800-10966 K | 14 | 97 | 30 | 2 | 15.85 | 90 | 64 | 0 | 2.44 |
| 2 | AT&T Mobility | LTE 850 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 12 | 97 | 30 | 2 | 12.85 | 90 | 60 | 0 | 2.44 |
| 2 | AT&T Mobility | LTE 2100 | 4 | 240 | 8222 | Quintel | QS8658-3e | 12 | 97 | 30 | 2 | 15.35 | 90 | 63 | 0 | 2.44 |
| 3 | AT&T Mobility | LTE 850 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 8.9 | 97 | 30 | 2 | 12.85 | 90 | 60 | 0 | 2.44 |
| 4 | AT&T Mobility | LTE 700 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 5.6 | 97 | 30 | 2 | 12.85 | 90 | 64 | 0 | 2.44 |
| 4 | AT&T Mobility | LTE 2300 | 4 | 100 | 3428 | Quintel | QS8658-3e | 5.6 | 97 | 30 | 2 | 15.35 | 90 | 60 | 0 | 2.44 |
| 5 | AT&T Mobility | LTE 700 | 2 | 80 | 1811.34 | Kathrein | 800-10966 K | 196 | 4.4 | 30 | 2 | 13.55 | 210 | 66 | 0 | 2.44 |
| 5 | AT&T Mobility | LTE 1900 | 4 | 160 | 6152 | Kathrein | 800-10966 K | 196 | 4.4 | 30 | 2 | 15.85 | 210 | 64 | 0 | 2.44 |
| 6 | AT&T Mobility | LTE 850 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 196 | 7.8 | 30 | 2 | 12.85 | 210 | 60 | 0 | 2.44 |
| 6 | AT&T Mobility | LTE 2100 | 4 | 240 | 8222 | Quintel | QS8658-3e | 196 | 7.8 | 30 | 2 | 15.35 | 210 | 63 | 0 | 2.44 |
| 7 | AT&T Mobility | LTE 850 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 196 | 11 | 30 | 2 | 12.85 | 210 | 60 | 0 | 2.44 |
| 8 | AT&T Mobility | LTE 700 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 196 | 13 | 30 | 2 | 12.85 | 210 | 64 | 0 | 2.44 |
| 8 | AT&T Mobility | LTE 2300 | 4 | 100 | 3428 | Quintel | QS8658-3e | 196 | 13 | 30 | 2 | 15.35 | 210 | 60 | 0 | 2.44 |
| 9 | AT&T Mobility | LTE 700 | 2 | 80 | 1811.34 | Kathrein | 800-10966 K | 5.6 | 93 | 30 | 2 | 13.55 | 330 | 66 | 0 | 2.44 |
| 9 | AT&T Mobility | LTE 1900 | 4 | 160 | 6152 | Kathrein | 800-10966 K | 5.6 | 93 | 30 | 2 | 15.85 | 330 | 64 | 0 | 2.44 |
| 10 | AT&T Mobility | LTE 850 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 7 | 90 | 30 | 2 | 12.85 | 330 | 60 | 0 | 2.44 |
| 10 | AT&T Mobility | LTE 2100 | 4 | 240 | 8222 | Quintel | QS8658-3e | 7 | 90 | 30 | 2 | 15.35 | 330 | 63 | 0 | 2.44 |
| 11 | AT&T Mobility | LTE 850 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 8.9 | 89 | 30 | 2 | 12.85 | 330 | 60 | 0 | 2.44 |
| 12 | AT&T Mobility | LTE 700 | 2 | 80 | 1541.7 | Quintel | QS8658-3e | 11 | 85 | 30 | 2 | 12.85 | 330 | 64 | 0 | 2.44 |
| 12 | AT&T Mobility | LTE 2300 | 4 | 100 | 3428 | Quintel | QS8658-3e | 11 | 85 | 30 | 2 | 15.35 | 330 | 60 | 0 | 2.44 |

Note: - Antenna 2 and antenna 3 are sharing RRH - 4478 B5 for LTE850 in all sectors.

Ground Level:

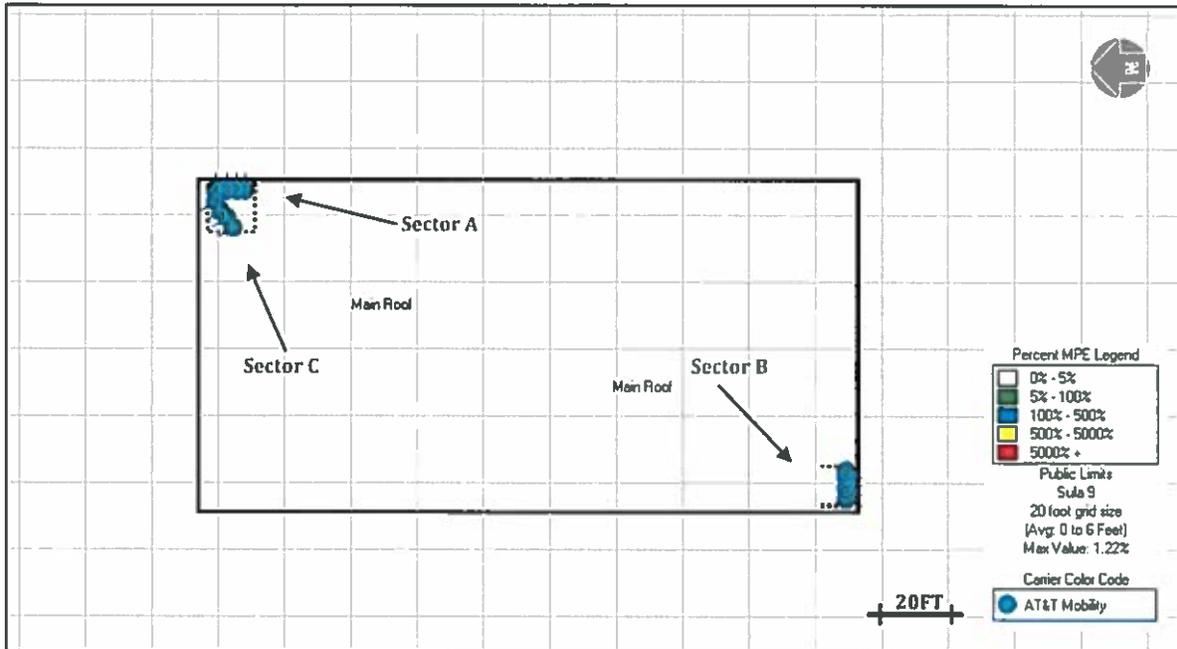
Z1 value refers to the bottom tip of antennas from the simulated level.

Main Roof Level:

Z2 value refers to the bottom tip of antennas from the simulated level.

4. Computer Modeling Result

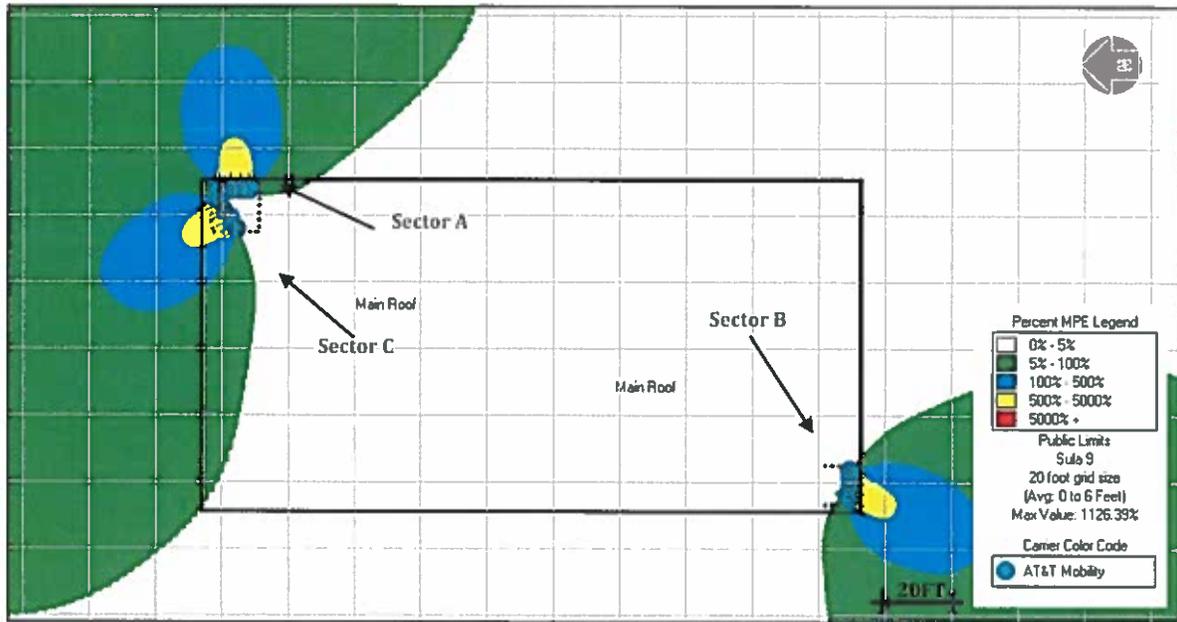
4.1 ALL CARRIERS TRANSMITTING AT GROUND LEVEL (30' below from antenna bottom tip)



■ 5% - 100% MPE ■ 100% - 500% MPE ■ 500% - 5000% MPE ■ ≥ 5000% MPE

Max MPE: 1.22% General Public

4.2 ALL CARRIERS TRANSMITTING AT MAIN ROOF LEVEL (2' below from antenna bottom tip)



■ 5% - 100% MPE ■ 100% - 500% MPE ■ 500% - 5000% MPE ■ ≥ 5000% MPE

Max MPE: 1126.39% General Public

5. RoofMaster™ Export File

| Ant Num | ID | Name | IMTid Freq | ERP | ERP | Mfg | Model | RIX | BUY | BUZ | Antenna Type | Aperture Size | Gain In dbd | Orientation | OH Req | Horizontal B | DownB | Length | Screen Dist |
|---------|----|------------------|------------|---------|-------------|------------------|-------|-----|-----|-----|--------------|---------------|-------------|-------------|--------|--------------|-------|--------|-------------|
| 1 | 1 | AT&T Mobile 700 | 2372 | 1811.34 | Kathren | 80010985_0'14.4 | 96.7 | 34 | | | | 13.95 | 90 | DN-I | 66 | 0 | 2.44 | 0 | |
| 1 | 2 | AT&T Mobile 1900 | 10092.53 | 6152 | Kathren | 80010985_0'14.4 | 96.7 | 34 | | | | 15.85 | 90 | DN-I | 64 | 0 | 2.44 | 0 | |
| 2 | 3 | AT&T Mobile 850 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:11.9 | 96.7 | 34 | | | | 12.85 | 90 | DN-I | 60 | 0 | 2.44 | 0 | |
| 2 | 4 | AT&T Mobile 2100 | 13489.63 | 8222 | Quintal USA | Q58658-3_1:11.9 | 96.7 | 34 | | | | 15.35 | 90 | DN-I | 63 | 0 | 2.44 | 0 | |
| 3 | 5 | AT&T Mobile 850 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:8.9 | 96.7 | 34 | | | | 12.85 | 90 | DN-I | 60 | 0 | 2.44 | 0 | |
| 4 | 6 | AT&T Mobile 700 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:5.6 | 96.7 | 34 | | | | 12.85 | 90 | DN-I | 64 | 0 | 2.44 | 0 | |
| 4 | 7 | AT&T Mobile 2300 | 5623.41 | 3429 | Quintal USA | Q58658-3_1:5.6 | 96.7 | 34 | | | | 15.35 | 90 | DN-I | 60 | 0 | 2.44 | 0 | |
| 5 | 8 | AT&T Mobile 700 | 2972 | 1811.34 | Kathren | 80010985_0'195.6 | 4.4 | 34 | | | | 13.95 | 210 | DN-I | 66 | 0 | 2.44 | 130 | |
| 5 | 9 | AT&T Mobile 1900 | 10092.53 | 6152 | Kathren | 80010985_0'195.6 | 4.4 | 34 | | | | 15.85 | 210 | DN-I | 64 | 0 | 2.44 | 130 | |
| 6 | 10 | AT&T Mobile 850 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:195.6 | 7.8 | 34 | | | | 12.85 | 210 | DN-I | 60 | 0 | 2.44 | 120 | |
| 6 | 11 | AT&T Mobile 2100 | 13489.63 | 8222 | Quintal USA | Q58658-3_1:195.6 | 7.8 | 34 | | | | 15.35 | 210 | DN-I | 63 | 0 | 2.44 | 120 | |
| 7 | 12 | AT&T Mobile 850 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:195.6 | 10.7 | 34 | | | | 12.85 | 210 | DN-I | 60 | 0 | 2.44 | 120 | |
| 8 | 13 | AT&T Mobile 700 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:195.6 | 13 | 34 | | | | 12.85 | 210 | DN-I | 64 | 0 | 2.44 | 120 | |
| 8 | 14 | AT&T Mobile 2300 | 5623.41 | 3429 | Quintal USA | Q58658-3_1:195.6 | 13 | 34 | | | | 15.35 | 210 | DN-I | 60 | 0 | 2.44 | 120 | |
| 9 | 15 | AT&T Mobile 700 | 2972 | 1811.34 | Kathren | 80010985_0'5.6 | 93.3 | 34 | | | | 13.95 | 330 | DN-I | 66 | 0 | 2.44 | 240 | |
| 9 | 16 | AT&T Mobile 1900 | 10092.53 | 6152 | Kathren | 80010985_0'5.6 | 93.3 | 34 | | | | 15.85 | 330 | DN-I | 64 | 0 | 2.44 | 240 | |
| 10 | 17 | AT&T Mobile 850 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:7 | 90.4 | 34 | | | | 12.85 | 330 | DN-I | 60 | 0 | 2.44 | 240 | |
| 10 | 18 | AT&T Mobile 2100 | 13489.63 | 8222 | Quintal USA | Q58658-3_1:7 | 90.4 | 34 | | | | 15.35 | 330 | DN-I | 63 | 0 | 2.44 | 240 | |
| 11 | 19 | AT&T Mobile 850 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:8.9 | 88.5 | 34 | | | | 12.85 | 330 | DN-I | 60 | 0 | 2.44 | 240 | |
| 12 | 20 | AT&T Mobile 700 | 2529 | 1541.7 | Quintal USA | Q58658-3_1:10.7 | 85.2 | 34 | | | | 12.85 | 330 | DN-I | 64 | 0 | 2.44 | 240 | |
| 12 | 21 | AT&T Mobile 2300 | 5623.41 | 3429 | Quintal USA | Q58658-3_1:10.7 | 85.2 | 34 | | | | 15.35 | 330 | DN-I | 60 | 0 | 2.44 | 240 | |

Report has been prepared by:

| | |
|-----------------|-----------------|
| PREPARER | REVIEWER |
| Gaurav Gupta | Gyan Pandey |
| RF Associate | RFE Engineer |

6. Appendix

6.1 FCC LIMITS FOR MPE

The FCC's MPE limits are based on exposure limits over a wide range of frequencies recommended by the NCRP and the exposure limits developed by the IEEE and adopted by the American National Standards Institute ("ANSI") to replace the 1982 ANSI guidelines. The limits for localized absorption are based on the recommendations of both the ANSI/IEEE and the NCRP. The potential hazard associated with the RF electromagnetic fields is discussed in OET Bulletin No. 65 "Questions and Answers about the Biological Effects and Potential Hazards of RF Electromagnetic Fields". This document can be obtained on the FCC website at <http://www.fcc.gov>.

Limits for Occupational /Controlled Exposure:

| Frequency Range (MHz) | Electric Field Strength (E) (V/m) | Magnetic Field Strength (H) (A/m) | Power Density (S) (mW/cm ²) | Averaging Time E ² , H ² or S (minutes) |
|-----------------------|-----------------------------------|-----------------------------------|---|---|
| 0.3-3.0 | 614 | 1.63 | (100)* | 6 |
| 3.0-30 | 1842/f | 4.89/f | (900/f ²)* | 6 |
| 30-300 | 61.4 | 0.163 | 1.0 | 6 |
| 300-1500 | — | — | f/300 | 6 |
| 1500-100,000 | — | — | 5 | 6 |

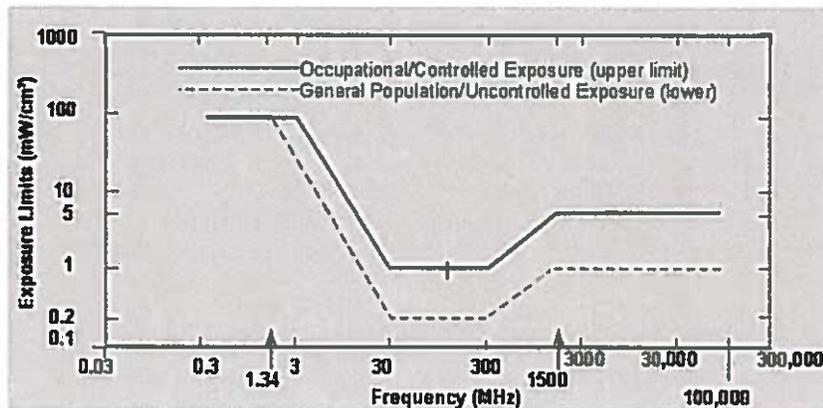
Limits for General Population /Uncontrolled Exposure:

| Frequency Range (MHz) | Electric Field Strength (E) (V/m) | Magnetic Field Strength (H) (A/m) | Power Density (S) (mW/cm ²) | Averaging Time E ² , H ² or S (minutes) |
|-----------------------|-----------------------------------|-----------------------------------|---|---|
| 0.3-1.34 | 614 | 1.63 | (100)* | 30 |
| 1.34-30 | 824/f | 2.19/f | (180/f ²)* | 30 |
| 30-300 | 27.5 | 0.073 | 0.2 | 30 |
| 300-1500 | — | — | f/1500 | 30 |
| 1500-100,000 | — | — | 1.0 | 30 |

f = frequency in MHz *Plane-wave equivalent power density

NOTE 1: **Occupational/controlled** limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: **General population/uncontrolled** exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.



6.2 ANALYSIS AND COMPUTATION

Power density is calculated by dividing the surface area of the sphere or the unit area normal to the direction of the propagation. This information is usually shown in units of microwatts per square centimeter ($\mu\text{W}/\text{cm}^2$), mill watt per square centimeters (mW/cm^2), or watts per square meter (W/m^2).

$$S = \frac{(P \times K \text{Fact})}{(2\pi R h)}$$

where:

S = power density (mW/cm^2)

P = total power input to the antenna (mW)

K = antenna correction factor / numeric factor for antenna discrimination

R = straight line distance of the antenna from a 6 ft. human (cm)

h = distance between the roof level and the bottom of the antenna (cm) or the vertical distance from the tip of the antenna to the roof level where a 6 ft. human being is assumed standing directly from the antenna (also equal to R at 0)

MPE% = Calculated exposure level, as a percentage of the FCC MPE limit for continuous exposure of the general population

CODE COMPLIANCE

ALL WORKS AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- | | |
|------------------------------------|---|
| 1. 2016 CALIFORNIA BUILDING CODE | 6. 2016 CALIFORNIA ENERGY CODE |
| 2. 2016 CALIFORNIA ELECTRICAL CODE | 7. COUNTY COASTAL ZONE LAND USE ADOPTED 2014 NEC |
| 3. 2016 CALIFORNIA FIRE CODE | 8. COUNTY FIRE CODE ORDINANCE - TITLE 16 |
| 4. 2016 CALIFORNIA MECHANICAL CODE | 9. COUNTY LAND USE ORDINANCE - TITLE 22 |
| 5. 2016 CALIFORNIA PLUMBING CODE | 10. COUNTY BUILDING AND CONSTRUCTION ORDINANCE - TITLE 19 |

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 CONTACT: LUIS CARDONA
 PHONE: (562) 652-5330
 EMAIL: LCARDONA@CASAIND.COM

RF ENGINEER

COMPANY: AT&T
 ADDRESS: 1452 EDINGER AVE
 CITY, STATE, ZIP: TUSTIN, CA 92780
 CONTACT: SANDEEP MANGAT
 PHONE: (805) 312-1694
 EMAIL: SM2840@ATT.COM

SITE INFORMATION

APPLICANT / LESSEE



1452 EDINGER AVE
 TUSTIN, CA 92780

PROPERTY OWNER

NAME: BURGESS NORTH AMERICAN
 ADDRESS: 770 S GENE AUTRY TRAIL
 CITY, STATE, ZIP: PALM SPRINGS, CA. 92264

BUILDING SUMMARY

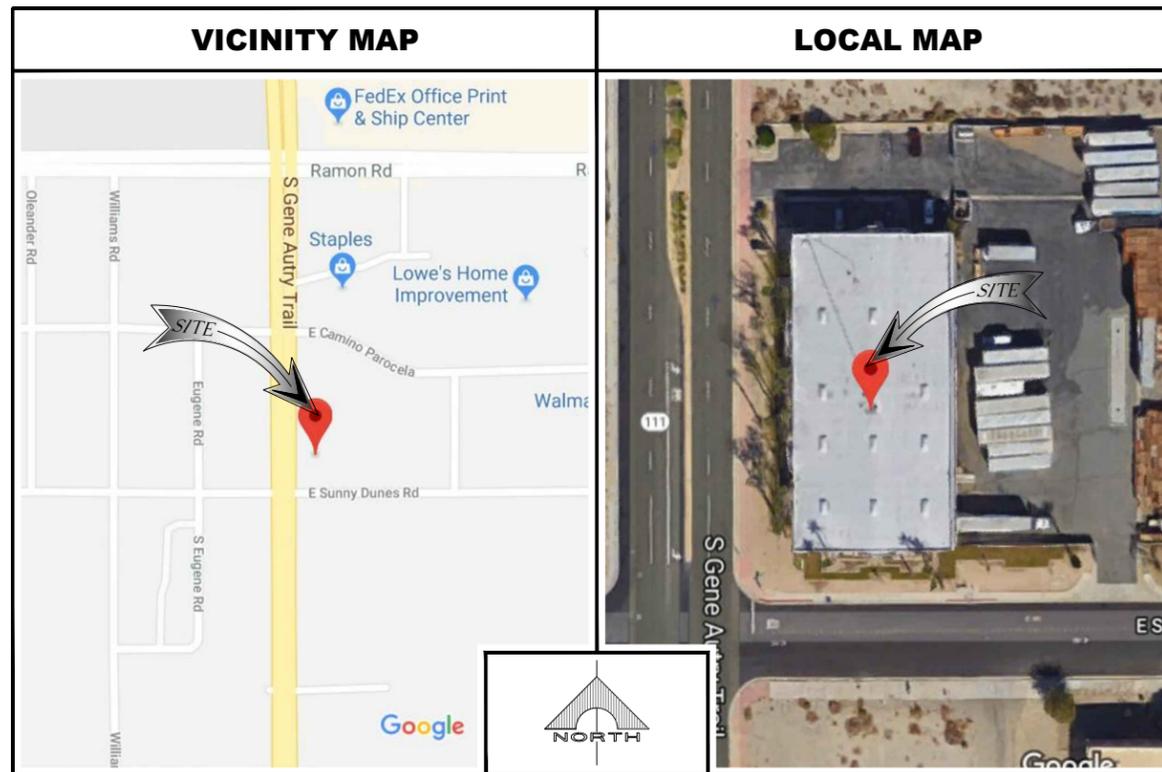
LATITUDE: 33° 48' 45.4" (33.812597°) N
 LONGITUDE: 116° 29' 33.1" (-116.492514°) W
 LAT, LONG, TYPE: NAD 83
 GROUND ELEVATION: 38'-6" (AGL)
 APN #: 680-170-063
 BUILDING USE: B
 CONSTRUCTION TYPE: II-B
 ZONING / JURISDICTION: CITY OF PALM SPRINGS
 CURRENT ZONING: UNMANNED TELECOMMUNICATIONS FACILITY
 PROPOSED USE: UNMANNED TELECOMMUNICATIONS FACILITY
 HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, HANDICAPPED ACCESS NOT REQUIRED
 EQUIPMENT LEASE AREA: 282 SQ. FT.
 ANTENNA LEASE AREA A & C: 96 SQ. FT.
 ANTENNA LEASE AREA B: 96 SQ. FT.
 ANTENNA LEASE AREA C: 126 SQ. FT.
 TOTAL LEASE AREA COMBINED: 600 SQ. FT.



AT&T

Your world. Delivered

SITE NUMBER: CSL02615
SITE NAME: BURGESS NORTH AMERICAN
770 S GENE AUTRY TRAIL
PALM SPRINGS, CA 92264
COUNTY OF RIVERSIDE



DRIVING DIRECTIONS

DIRECTIONS FROM AT&T OFFICE:

GET ON CA-261 N IN IRVINE FROM EDINGER AVE HEAD NORTHEAST TURN LEFT TOWARD AT&T TURN RIGHT ONTO EDINGER AVE USE THE LEFT 2 LANES TO TURN LEFT USE THE RIGHT 2 LANES TO TAKE THE CA-261 N RAMP TO I-5 N KEEP RIGHT AT THE FORK, FOLLOW SIGNS FOR CA-261 N AND MERGE ONTO CA-261 N TOLL ROAD TAKE CA-91 E, CA-60 E AND I-10 E TO N GENE AUTRY TRAIL IN PALM SPRINGS. TAKE EXIT 123 FROM I-10 E MERGE ONTO CA-261 N TOLL ROAD USE ANY LANE TO MERGE ONTO CA-241 N TOLL ROAD USE THE RIGHT 2 LANES TO TAKE EXIT 39A TO MERGE ONTO CA-91 E TOWARD RIVERSIDE PARTIAL TOLL ROAD USE THE RIGHT 2 LANES TO TAKE EXIT 65 B FOR CA-60 E/I-215 S TOWARD SAN DIEGO/INDIO MERGE ONTO CA-60 E MERGE ONTO CA-60 E/I-215 S KEEP LEFT AT THE FORK TO CONTINUE ON CA-60 E MERGE ONTO I-10 E TAKE EXIT 123 TOWARD PALM DR/DESERT HOT SPRINGS DRIVE TO S GENE AUTRY TRAIL USE THE RIGHT 2 LANES TO TURN RIGHT ONTO N GENE AUTRY TRAIL TURN LEFT ONTO E CAMINO PAROCELA TURN RIGHT TOWARD E SUNNY DUNES RD TURN RIGHT ONTO E SUNNY DUNES RD TURN RIGHT AT THE 1ST CROSS STREET ONTO S GENE AUTRY TRAIL.

LEGAL DESCRIPTION

SEE SURVEY SHEET FOR LEGAL DESCRIPTION.



APPROVALS

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS & AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT & MAY IMPOSE CHANGES OR MODIFICATIONS.

| DISCIPLINE: | SIGNATURE: | DATE: |
|-----------------------|------------|-------|
| AT&T RF ENGINEER: | | |
| AT&T OPERATIONS: | | |
| SITE ACQUISITION: | | |
| CONSTRUCTION MANAGER: | | |
| PROPERTY OWNER: | | |
| ZONING VENDOR: | | |
| PROJECT MANAGER: | | |

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS
 SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

PROJECT DESCRIPTION

AT&T PROPOSED TO CONSTRUCT, OPERATE AND MAINTAIN AN UNMANNED WIRELESS COMMUNICATIONS FACILITY. THIS FACILITY WILL CONSIST OF THE FOLLOWING:

- INSTALL 3 (P) SCREENWALLS @ ROOF LEVEL.
- INSTALL 12 (P) 8' PANEL ANTENNAS (4 PER SECTOR).
- INSTALL 36 (P) LTE RRUS AT ANTENNA LEVEL (12 PER SECTOR).
- INSTALL 3 (P) DC-06 [SQUID] SURGE SUPPRESSOR (1 PER SECTOR).
- INSTALL 2 (P) PURCELL CABINET.
- INSTALL 2 (P) EMERSON POWER PLANT.
- INSTALL (P) FIBER CABINET.
- INSTALL (P) TELCO CABINET.
- INSTALL (P) AC PANEL CABINET.
- INSTALL (P) CABLE TRAY.
- INSTALL (P) CMU WALL.
- INSTALL (P) CAGED LADDER WITH SECURITY DOOR.
- INSTALL (P) 30KW DIESEL GENERATOR.

DRAWING INDEX

| SHEET NO: | SHEET TITLE |
|-----------|---------------------------------------|
| T-1 | TITLE SHEET |
| LS-1 | SITE SURVEY |
| A-1 | SITE PLAN |
| A-2 | ROOF PLAN AND EQUIPMENT PLAN |
| A-3 | ANTENNA PLAN AND ANTENNA/RRU SCHEDULE |
| A-4 | ELEVATIONS |
| A-5 | ELEVATIONS |



| REV | DATE | DESCRIPTION |
|-----|----------|--------------------------|
| 3 | 09/06/18 | NEW ELEVATION (OPTION B) |
| 2 | 08/20/18 | REVISED ZDs (OPTION B) |
| 1 | 02/09/18 | 100% ZONING DRAWINGS |
| 0 | 01/02/18 | 90% ZONING DRAWINGS |

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CSL02615
 BURGESS NORTH AMERICAN
 770 S GENE AUTRY TRAIL
 PALM SPRINGS, CA 92264
 ROOFTOP (OUTDOOR)

SHEET TITLE
 TITLE SHEET

SHEET NUMBER
T-1



| REV | DATE | DESCRIPTION |
|-----|----------|--------------------------|
| 3 | 09/06/18 | NEW ELEVATION (OPTION B) |
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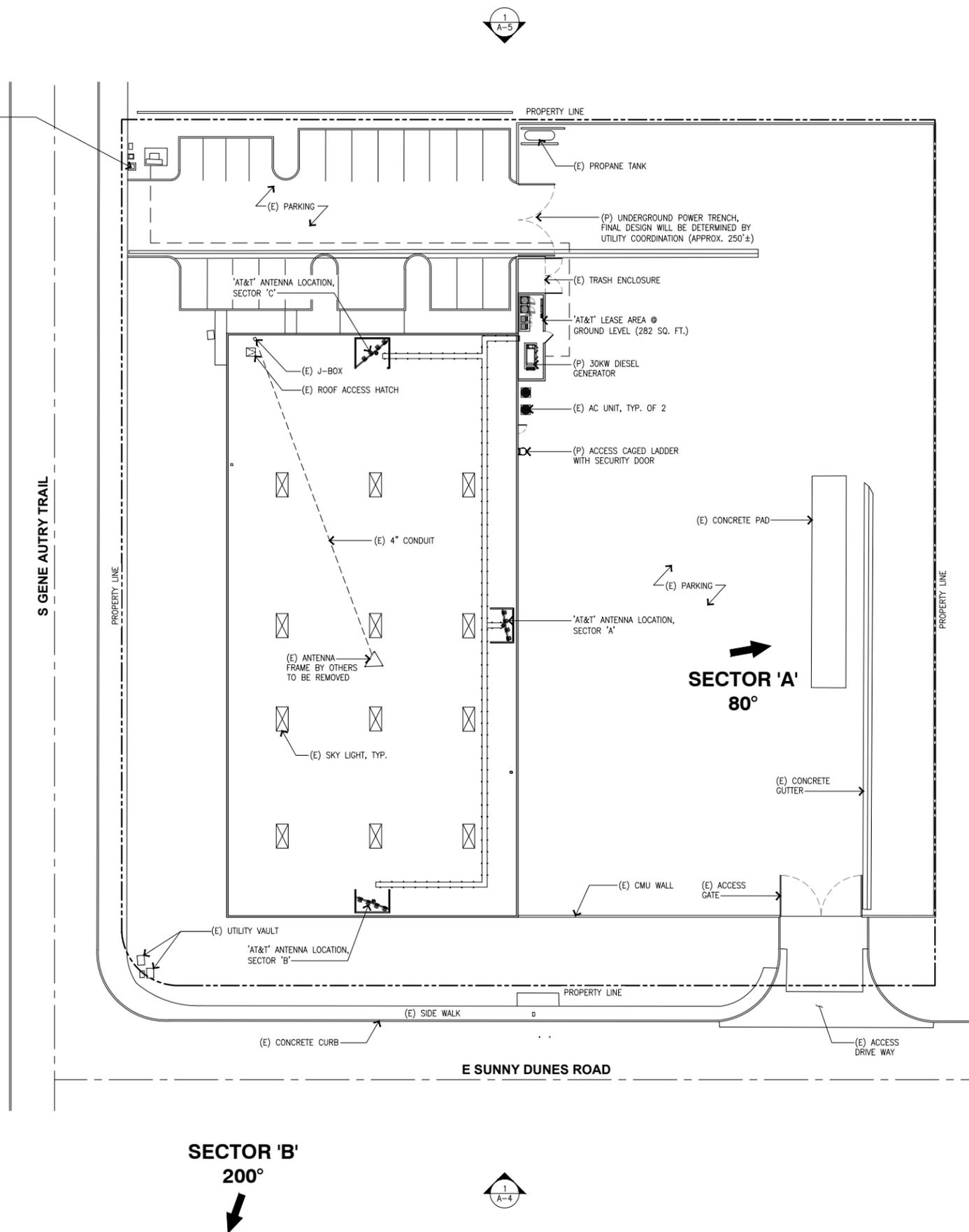
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CSL02615
BURGESS NORTH AMERICAN
770 S GENE AUTRY TRAIL
PALM SPRINGS, CA 92264
ROOFTOP (OUTDOOR)

SHEET TITLE
SITE PLAN

SHEET NUMBER
A-1



(P) 'AT&T' METER
(FINAL LOCATION TBD BY
UTILITY COORDINATION)

SECTOR 'C'
320°

SECTOR 'A'
80°

SECTOR 'B'
200°

NOTES:
UTILITY DESIGN IS PROPOSED AND BASED ON THE DESIGN VISIT, FINAL UTILITY COORDINATION WILL DETERMINE THE POINT OF CONNECTION AND ROUTE.

SITE PLAN

SCALE:
1"=20'-0"



1



| REV | DATE | DESCRIPTION |
|-----|----------|--------------------------|
| 3 | 09/06/18 | NEW ELEVATION (OPTION B) |
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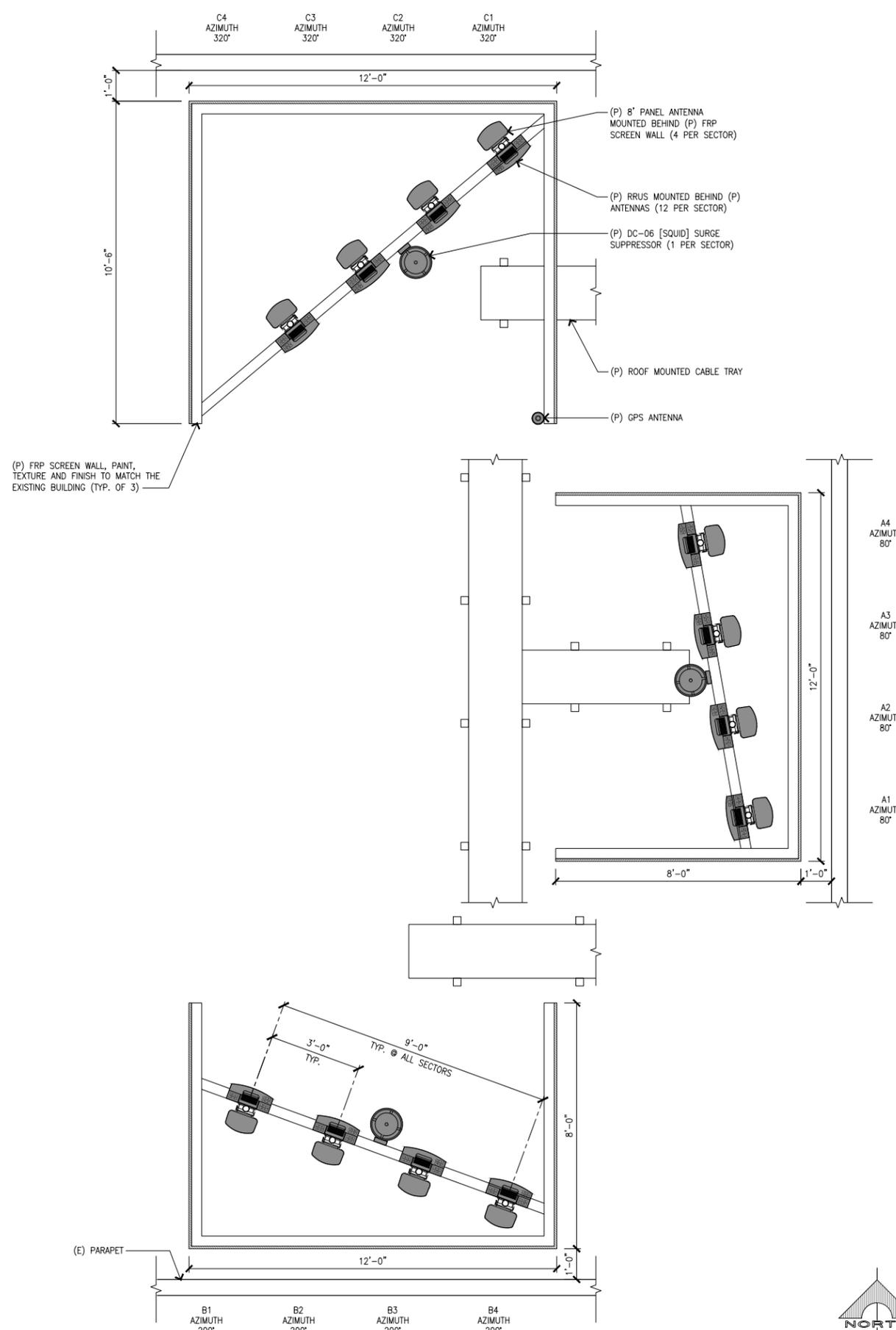
CSL02615
BURGESS NORTH AMERICAN
770 S GENE AUTRY TRAIL
PALM SPRINGS, CA 92264
ROOFTOP (OUTDOOR)

SHEET TITLE
ANTENNA PLAN AND ANTENNA/RRU SCHEDULE

SHEET NUMBER
A-3

| PROPOSED ANTENNA AND TRANSMISSION CABLE REQUIREMENTS | | | | | | | | |
|--|---------------------|----------------|-------------------|-----------------|------------|------------------------------------|-------------------|----------|
| SECTOR | PROPOSED TECHNOLOGY | ANTENNA | | ANTENNA AZIMUTH | RAD CENTER | TRANSMISSION LINES (LENGTH FT +/-) | | |
| | | AIR/HEX/8-PORT | SIZE (4'; 6'; 8') | | | JUMPER | DC CABLE (AWG #8) | |
| ALPHA SECTOR | A1 | LTE | PANEL ANTENNA | 8' | 80° | 37'-0" | <12' | +/- 190' |
| | A2 | LTE | PANEL ANTENNA | 8' | 80° | 37'-0" | <12' | +/- 190' |
| | A3 | LTE | PANEL ANTENNA | 8' | 80° | 37'-0" | <12' | +/- 190' |
| | A4 | LTE | PANEL ANTENNA | 8' | 80° | 37'-0" | <12' | +/- 190' |
| BETA SECTOR | B1 | LTE | PANEL ANTENNA | 8' | 200° | 37'-0" | <12' | +/- 320' |
| | B2 | LTE | PANEL ANTENNA | 8' | 200° | 37'-0" | <12' | +/- 320' |
| | B3 | LTE | PANEL ANTENNA | 8' | 200° | 37'-0" | <12' | +/- 320' |
| | B4 | LTE | PANEL ANTENNA | 8' | 200° | 37'-0" | <12' | +/- 320' |
| GAMMA SECTOR | C1 | LTE | PANEL ANTENNA | 8' | 320° | 37'-0" | <12' | +/- 120' |
| | C2 | LTE | PANEL ANTENNA | 8' | 320° | 37'-0" | <12' | +/- 120' |
| | C3 | LTE | PANEL ANTENNA | 8' | 320° | 37'-0" | <12' | +/- 120' |
| | C4 | LTE | PANEL ANTENNA | 8' | 320° | 37'-0" | <12' | +/- 120' |

| REMOTE RADIO UNITS (RRU'S) | | | | | | | |
|----------------------------|----------------|-----------|--------------------------------------|--------------------|-------|-------|----|
| SECTOR | RRU UP OR DOWN | RRU COUNT | RRU LOCATION (DISTANCE FROM ANTENNA) | MINIMUM CLEARANCES | | | |
| | | | | ABOVE | BELOW | SIDES | |
| ALPHA SECTOR | A1 | UP | 3 | <12' | 18" | 8" | 8" |
| | A2 | UP | 3 | <12' | 18" | 8" | 8" |
| | A3 | UP | 3 | <12' | 18" | 8" | 8" |
| | A4 | UP | 3 | <12' | 18" | 8" | 8" |
| BETA SECTOR | B1 | UP | 3 | <12' | 18" | 8" | 8" |
| | B2 | UP | 3 | <12' | 18" | 8" | 8" |
| | B3 | UP | 3 | <12' | 18" | 8" | 8" |
| | B4 | UP | 3 | <12' | 18" | 8" | 8" |
| GAMMA SECTOR | C1 | UP | 3 | <12' | 18" | 8" | 8" |
| | C2 | UP | 3 | <12' | 18" | 8" | 8" |
| | C3 | UP | 3 | <12' | 18" | 8" | 8" |
| | C4 | UP | 3 | <12' | 18" | 8" | 8" |



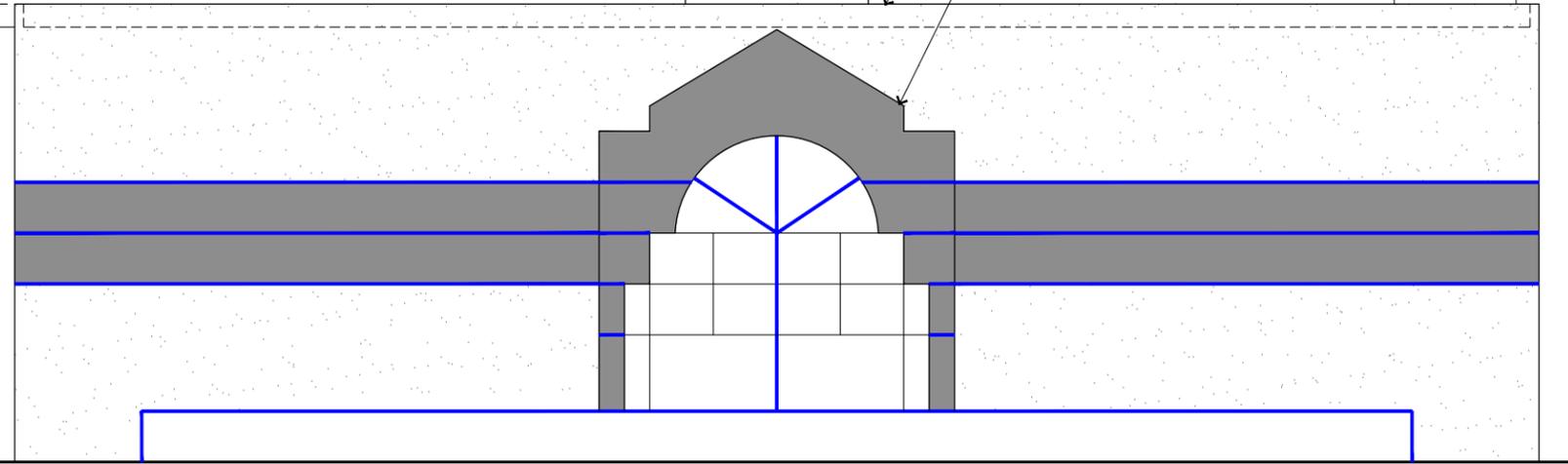
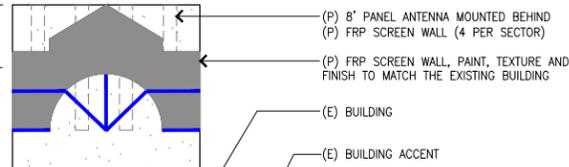
TOP OF 'AT&T' PANEL ANTENNAS AND (P) FRP SCREEN WALL
@ 41'-0" AGL

RAD CENTER OF (P) 'AT&T' PANEL ANTENNAS
@ 37'-0" AGL

TOP OF (E) BUILDING
@ 30'-0" AGL

TOP OF (E) ROOF DECK
@ 28'-6" AGL

FINISH GRADE
@ 0'-0" AGL



SOUTH ELEVATION

SCALE: 1
3/16"=1'-0"

(P) 8' PANEL ANTENNA MOUNTED BEHIND (P) FRP SCREEN WALL (4 PER SECTOR)

(P) FRP SCREEN WALL, PAINT, TEXTURE AND FINISH TO MATCH THE EXISTING BUILDING

(P) ACCESS CAGED LADDER WITH SECURITY DOOR PAINTED TO MATCH
(E) BUILDING

TOP OF 'AT&T' PANEL ANTENNAS AND (P) FRP SCREEN WALL
@ 41'-0" AGL

RAD CENTER OF (P) 'AT&T' PANEL ANTENNAS
@ 37'-0" AGL

TOP OF (E) BUILDING
@ 30'-0" AGL

TOP OF (E) ROOF DECK
@ 28'-6" AGL

(P) VERTICAL CABLE TRAY PAINTED TO MATCH BUILDING

(E) BUILDING ACCENT

(P) 30KW DIESEL GENERATOR

(P) 6" HIGH CMU WALL WITH STEEL ACCESS DOOR

(E) AC UNIT, TYP. OF 2

(E) TRASH ENCLOSURE

EAST ELEVATION

SCALE: 2
3/16"=1'-0"



| REV | DATE | DESCRIPTION |
|-----|----------|--------------------------|
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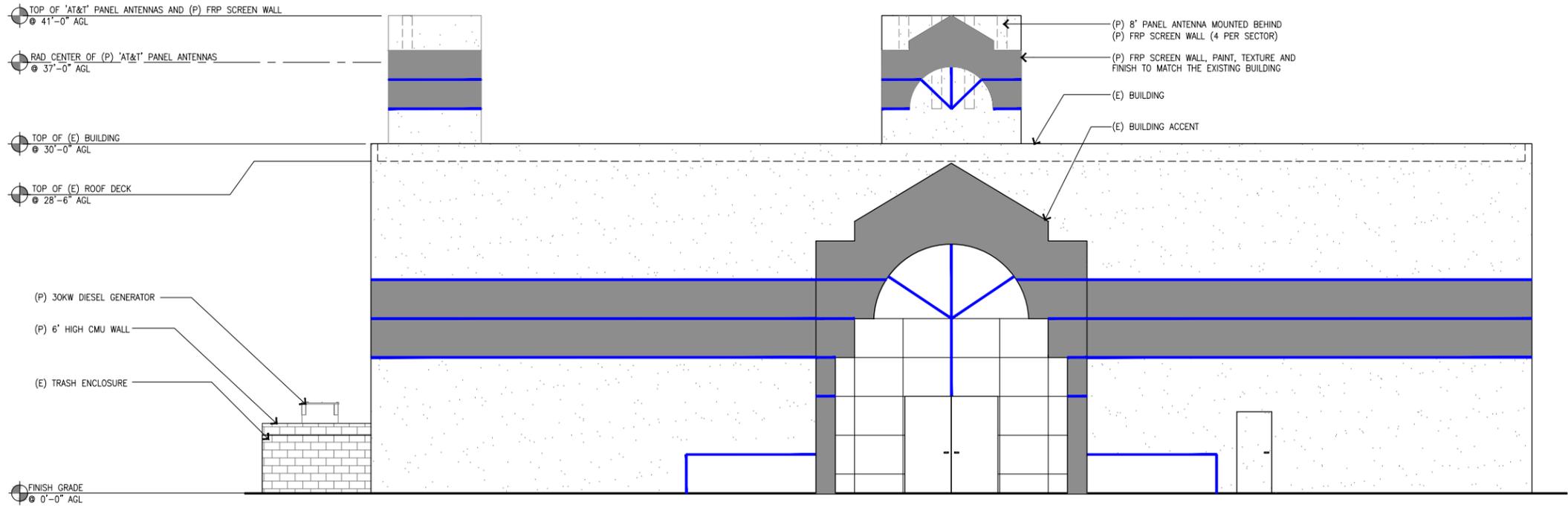
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CSL02615
BURGESS NORTH AMERICAN
770 S GENE AUTRY TRAIL
PALM SPRINGS, CA 92264
ROOFTOP (OUTDOOR)

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A-4



NORTH ELEVATION

SCALE: 1
3/16"=1'-0"

| REV | DATE | DESCRIPTION |
|-----|----------|--------------------------|
| 3 | 09/06/18 | NEW ELEVATION (OPTION B) |
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 BURGESS NORTH AMERICAN
 770 S GENE AUTRY TRAIL
 PALM SPRINGS, CA 92264
 ROOFTOP (OUTDOOR)

SHEET TITLE
 ELEVATIONS

SHEET NUMBER
A-5

NOT USED

SCALE: 2
3/16"=1'-0"

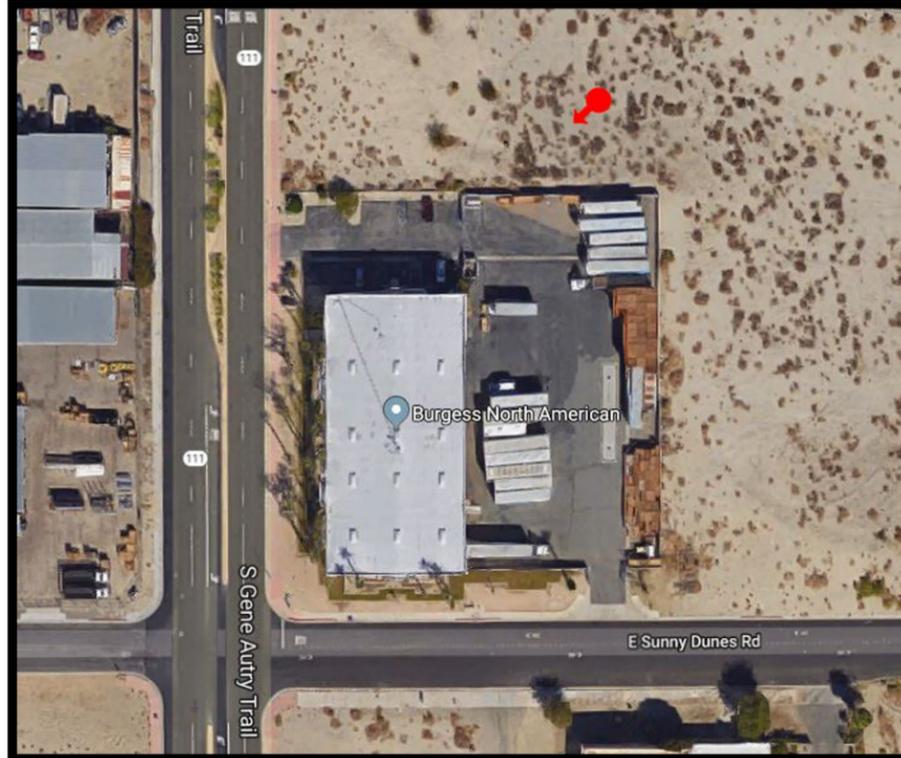


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CSL02615

BURGESS NORTH AMERICAN

770 S GENE AUTRY TRAIL, PALM SPRINGS, CA 92264



LOCATION

©2017 GOOGLE MAPS

VIEW 1



EXISTING



PROPOSED

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.



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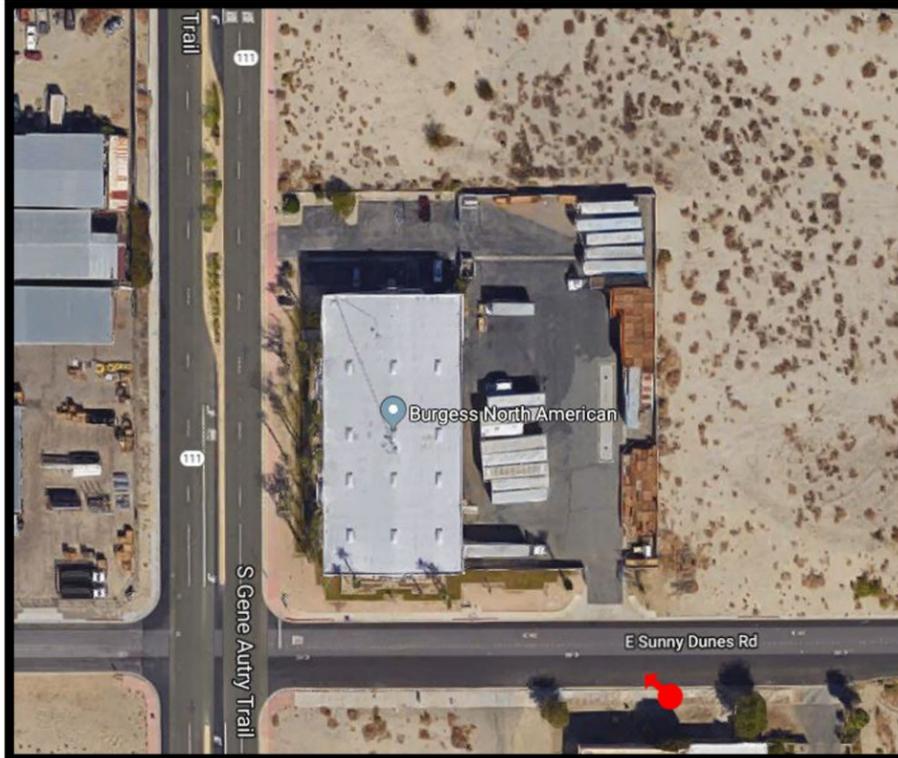
CSL02615

BURGESS NORTH AMERICAN

770 S GENE AUTRY TRAIL, PALM SPRINGS, CA 92264



VIEW 2



LOCATION

©2017 GOOGLE MAPS



EXISTING



PROPOSED

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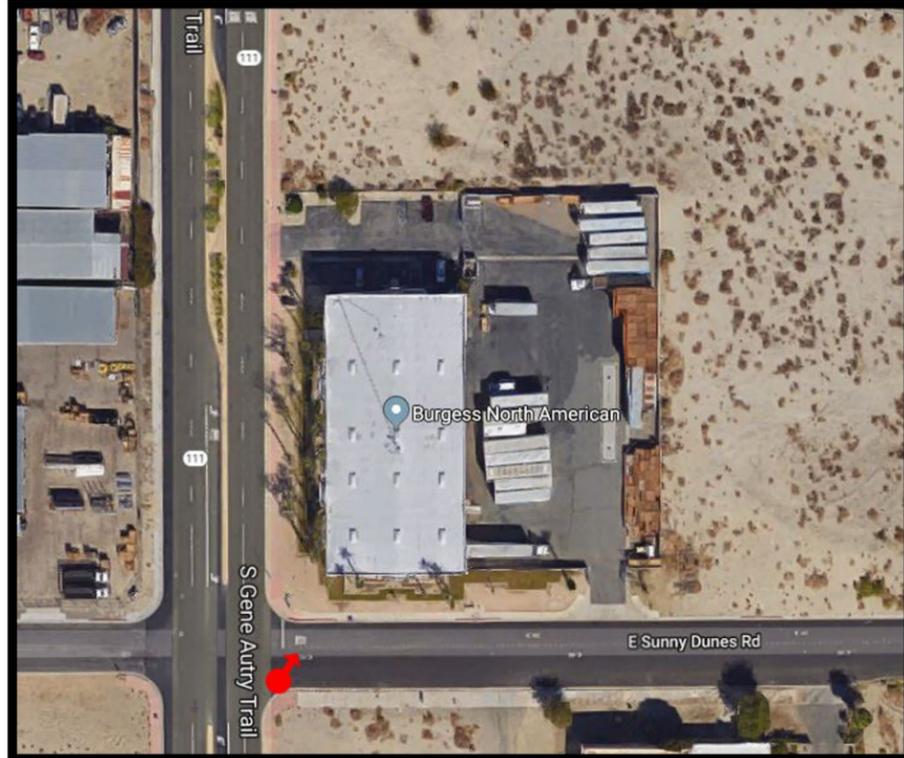


at&t

CSL02615

BURGESS NORTH AMERICAN

770 S GENE AUTRY TRAIL, PALM SPRINGS, CA 92264



LOCATION

©2017 GOOGLE MAPS

VIEW 3



PROPOSED AT&T FRP SCREENING



EXISTING

PROPOSED

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.

Meeting Date: 09/12/2018

Subject

REQUEST BY RICHARD PANTELE FOR A CONDITIONAL USE PERMIT (CUP) TO OPERATE A CANNABIS MANUFACTURING AND CULTIVATION FACILITY WITHIN FOUR INDUSTRIAL BUILDINGS TOTALING 35,496-SQUARE FEET LOCATED ON THE EAST SIDE OF RUPERT STREET BETWEEN 19TH AND 20TH AVENUES, ZONE M-2, SECTION 33 (CASE 5.1437 CUP)(ER).

RECOMMENDATION: Approval.

Attachments

PANTELE FACILITY



Planning Commission Staff Report

DATE: September 12, 2018 Public Hearing

SUBJECT: REQUEST BY RICHARD PANTELE FOR A CONDITIONAL USE PERMIT (CUP) TO OPERATE A CANNABIS MANUFACTURING AND CULTIVATION FACILITY WITHIN FOUR INDUSTRIAL BUILDINGS TOTALING 35,496-SQUARE FEET LOCATED ON THE EAST SIDE OF RUPERT STREET BETWEEN 19TH AND 20TH AVENUES, ZONE M-2, SECTION 33 (CASE 5.1437 CUP)(ER).

FROM: Department of Planning Services

SUMMARY

This is a request for the Planning Commission to consider the adoption of a Mitigated Negative Declaration (MND) under CEQA guidelines and approve of a Conditional Use Permit (CUP) application for the operation of cannabis manufacturing and cultivation facility within four (4) industrial buildings located on an undeveloped parcel on the east side of Rupert Street between 19th and 20th Avenues. The application includes a dispensary but does not require a conditional use permit approval.

RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration (MND) under the guidelines of CEQA;
2. Approve the Conditional Use Permit (CUP) Application subject to attached conditions of approval.

ISSUES:

- The buildings for the cannabis cultivation facility have not been constructed.
- The location is currently without City sewer services.
- The applicant will be required to install an on-site treatment system capable of handling the anticipated waste discharge generated by the proposed project.

PRIOR ACTIONS:

| <i>Related Relevant City Actions by Planning, Fire, Building, etc...</i> | |
|---|--|
| 11/06/17 | The Architectural Advisory Committee (AAC) recommended approval of approval of the four industrial buildings to the Planning Commission. |
| 12/13/17 | The Planning Commission approved a Major Architectural Application for the construction of the industrial buildings. |
| 03/07/17 | The City issued an administrative (Regulatory) permit (#C-2017-014) to the applicant for the operation of cannabis facility. |

BACKGROUND AND SETTING:

| <i>Most Recent Ownership</i> | |
|-------------------------------------|----------------|
| 06/20/16 | Gastadora, LLC |

| <i>Property Posting</i> | |
|--------------------------------|--------------|
| None | Not Required |

| <i>Notification</i> | |
|----------------------------|---|
| 06/28/18 | Notice mailed to all property owners within 500 feet of subject property. |
| None | There are no recognized neighborhood organizations within a ½ mile of project site. |

| <i>Field Check</i> | |
|---------------------------|---|
| 09/05/18 | Staff visited site to observe existing conditions |

| <i>Details of Application Request</i> | |
|--|-------------------------|
| <i>Site and Building Area</i> | |
| Over All Site | Approximately 2.1 Acres |
| Cultivation | 19,103 Square feet |
| Dispensary | 3,000 Square feet |

| <i>General Plan, Zoning and Land Uses of Site & Surrounding Areas</i> | | | |
|--|--|----------------------------------|--|
| | <i>General Plan Designation</i> | <i>Zoning Designation</i> | <i>Existing Land Use</i> |
| Site | RBC (Regional Business Center) | M-2 (Manufacturing) | Vacant |
| North | RBC | M-2 | Vacant |
| South | RBC | M-2 | (WECS) Electric supply |
| East | RBC | M-2 | Vacant and pest control (Lloyd's Pest Control) |
| West | RBC | M-2 | Food transport facility (Frito-Lay) |

BACKGROUND AND SETTING:

The proposed project site is currently undeveloped with sparse native vegetation and is surrounded by undeveloped lands and industrial development. The overall proposed project site includes five (5) parcels within the "Orr Tract" subdivision. On December 13, 2017, the Planning Commission approved a major architectural review application for the construction of four industrial buildings ranging from 6,126 to 16,152 square feet in size, along with associated landscape and parking improvements. At the time of the entitlements, specific tenants and uses were not known; the structures were to be built as shell buildings. As of the writing of this report, there are no permits issued for construction activities at the site.

PROJECT DESCRIPTION:

The proposed project is for cannabis related businesses including manufacturing, cultivation and a dispensary. According to the applicant, all operational activities at the proposed subject site will consist of cannabis cultivation and manufacturing of cannabis extracts. Cannabis cultivation will be the primary activity; multiple grow rooms are proposed to prevent undesirable cross pollination or spreading of any insects, mold or fungi. Each of the grow rooms will be sterile and maintained in accordance with medical grade specifications, with scheduled self-testing for any bacterial, fungal or foreign presence. The applicant is proposing two manufacturing methods for extraction. The first method, "Rosin Press," is done by pressing the grown product using a hydraulic press and does not involve the use of added chemical solvents. The second method will involve carbon dioxide (CO₂) used as a solvent in a self-contained closed loop. There is no hazard of explosion associated with any of the two methods because carbon dioxide (CO₂) is very passive.

ANALYSIS:

The subject site is zoned M-2 (Manufacturing Zone); pursuant to Section 92.17.01.01(D)(13)(14) of the Palm Springs Zoning Code, medical or adult use cannabis cultivation and manufacturing facilities are permitted uses in the manufacturing zone subject to the approval of a Conditional Use Permit by the Planning Commission.

Section 93.23.15 (F)(1) of the PSZC states:

"Any Medical Cannabis or Adult Use Cannabis Cultivation Facility in excess of ten thousand (10,000) square feet shall operate only within the E-1 or M-2 zones"

The subject zoning designation (M-2 zone) is located mostly north of I-10 and in the northern area of the City. The M-2 has no limitation.

Section 93.23.15(C)(1-3) of the PSZC provides standards for separation distances between cannabis facilities equaling five hundred (500') feet, however the PSZC states:

"There shall be no mandatory separation distances between Medical Cannabis Facilities or Adult Use Facilities in any of the following zones: C-M, M-1-P, M-1. And M-2"

The subject property is located within the M-2 zone therefore separation distances for the proposed Cannabis facility is not required. This development standard permits the siting of a cultivation facility adjacent to a dispensary on the subject site or any other cannabis business located in the permissible zone.

Section 93.23.15(C)(4) of the PSZC states that minimum separations distance of six hundred (600') feet shall be required:

“Between any Medical Cannabis Facility or Adult Use Cannabis Facility and any: School, Public Playground, Public Park, Day Care/Child Care center, or Youth Center.”

The subject site is located in an area that is predominantly used for wind farms and other electricity producing related uses. There are no uses located within six hundred (600') feet of the subject site.

REQUIRED FINDINGS:

Findings for a Conditional Use Permit are outlined in Section 94.02.00(B)(6) of the Zoning Code. The findings are listed below followed by an evaluation of the project by Staff against these findings.

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

PSZC Section 92.17.01(A)(13)(14) allows for medical or adult-use cannabis cultivation facility and dispensary, subject to the development standards contained in Section 92.23.15 of the PSZC. The proposed cannabis facility will occur within four (4) industrial buildings totaling 35,496 square feet in size. The location is zoned M-2; cannabis cultivation and manufacturing facility are permitted uses with the approval of a Conditional Use Permit.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject property is RBC (Regional Business Center) generally located at the Indian Canyon Drive interchange adjacent to Interstate 10. The RBC area is intended to accommodate a wide variety of business activities in a multi-use environment. Usages in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. The proposed cannabis facility is a large scale operation that will meet the intended goals of the Regional Business Center land use designation.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The proposed industrial buildings will be sited on an undeveloped 2.1-acre parcel. The structures will meet all the development standards of the zoning designation in terms setbacks, height limitations, landscaping and parking requirements. The main issue facing development projects in this area of the City is the lack of City sewer services. This

project will be required to install an on-site treatment system capable of handling the anticipated waste discharge generated by the proposed project. The site is adequate in size to accommodate the proposed cannabis facility and will be conditioned to meet all the required development standards relative to installation of walls, fences and landscaping.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The undeveloped 2.1-acre site fronts Ruppert Street between 19th Avenue and 20th Avenue. The location has direct access to 19th Avenue and also to North Indian Canyon Drive east of the site. North Indian Canyon Drive is a Major Thoroughfare with an on-ramp to the I-10 freeways. The existing street network is adequate to support the trips generated by the proposed use. The proposed use will not impact the nearby streets and highways. Access into the site will be from Ruppert Street.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The conditions imposed as part of this Conditional Use Permit are intended to minimize impacts on the surrounding community. Mitigation measures and conditions of approval have been included to ensure that the facility operates in a manner which protects the public health, safety and general welfare. These conditions include compliance with the City's noise ordinance and other necessary requirements. Proposed cannabis cultivation activities will be carried out indoors, thereby limiting the amount of odors generated by the activities.

ENVIRONMENTAL DETERMINATION:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measures that would reduce the potential adverse impacts to less than significant levels. Mitigation measures are proposed relative to Biological Resources, and Cultural Resources. Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Intent to adopt a Mitigated Negative Declaration (MND) was prepared. The Notice of Intent (NOI) was circulated; the public review and comment period commenced on July 18, 2018, and closed on August 6, 2018. Comments were received from the Mission Springs Water District (MSWD) and the Agua Caliente Cahuilla Band of Indians. Staff has concluded that the MND covered the issues the City found necessary to be addressed, including topics such as land use policies, safety, aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality noise effects and traffic impacts during operation of the project. In addition to the

mitigation measures included in the MND, staff has included conditions of approval in support of the Mitigated Negative Declaration.

Cultural:

Mitigation Measures:

CUL-1 A copy of the records search with associated survey reports and site records from the information center shall be prepared prior to the initiation of any ground disturbing activity on the property. The City shall provide the records search to the Agua Caliente Band of Cahuilla Indians.

CUL-2 A cultural resources inventory of the project site shall be completed by a qualified archaeologist prior to any ground disturbing activities on the project site. The City shall provide the inventory to the Agua Caliente Band of Cahuilla Indians.

Monitoring:

*CUL-A The applicant shall provide the City with an archaeological records search and on-site inventory performed by a qualified archaeologist prior to the issuance of any ground-disturbing permit on the project site.
Responsible Party: Project Archaeologist, Planning Department.*

CONCLUSION:

The proposed use is consistent with the zoning criteria and conforms to the criteria for medical or adult-use cannabis manufacturing and cultivation facility as required in Section 92.17.1.01(D)(13)(14) of the City of Palm Springs Zoning Code; therefore staff recommends approval of the CUP subject to the attached conditions of approval.

NOTIFICATION:

On August 25, 2018, notification of this public hearing was sent to property owners within a 500 foot radius of the subject parcel. As of the writing of this report, staff has not received phone calls or emails from the public seeking additional information relative to the project and the proposed use.



Edward O. Robertson
Principal City Planner



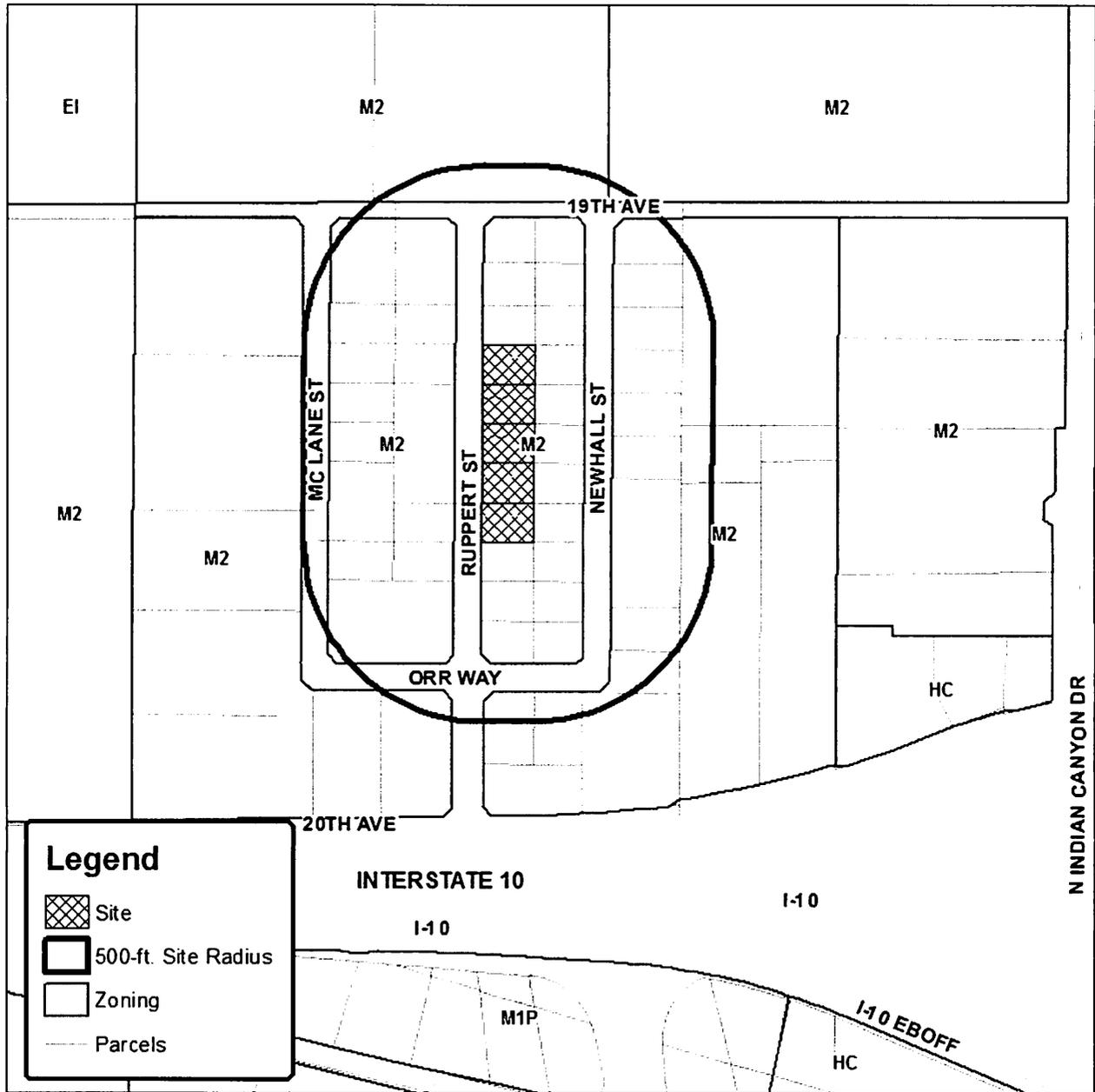
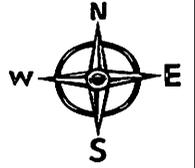
Finn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Planning Commission Resolution
3. Conditions of Approval
4. Comments and Conditions from Mission Springs Water District (MSWD).
5. Initial Study/Mitigated Negative Declaration
6. Exhibits



Department of Planning Services Vicinity Map



Legend

-  Site
-  500-ft. Site Radius
-  Zoning
-  Parcels

CITY OF PALM SPRINGS

CASE NO: 5.1437 CUP

LOCATION: East side of Ruppert Street, between 19th Avenue and Orr Way

LEGAL: Parcels 32, 33, 34, 35 & 36 of PM 166/070 PM 20820

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION UNDER CEQA GUIDELINES AND APPROVING A CONDITIONAL USE PERMIT CASE NO. 5.1437-CUP; TO OPERATE A CANNABIS MANUFACTURING, CULTIVATION AND A DISPENSARY FACILITY LOCATED ON THE EAST SIDE OF RUPPERT STREET BETWEEN THE 19TH & 20TH AVENUES; ZONE M-2.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. Richard Pantele ("Applicant") has filed a Conditional Use Permit (Case 5.1437 CUP) with the City pursuant to Sections 93.23.15 (Special Standards for Specified Medical Cannabis Facilities) and 94.02.00 (Conditional Use Permit); for the operation of cannabis related businesses including manufacturing, cultivation and a dispensary located on the east side of Ruppert Street between 19th and 20th Avenues.
- B. Notice of a public hearing of the Planning Commission of the City of Palm Springs to consider the project was given in accordance with applicable law.
- C. On September 12, 2018, the Planning Commission held a public hearing to consider the Project in accordance with applicable law.
- D. The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measures that would reduce the potential adverse impacts to less than significant levels. Mitigation measures are proposed relative to Biological Resources, and Cultural Resources. Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Intent to adopt a Mitigated Negative Declaration (MND) was prepared. The Notice of Intent (NOI) was circulated; the public review and comment period commenced on July 18, 2018, and closed on August 6, 2018. Comments were received from the Mission Springs Water District (MSWD) and the Agua Caliente Cahuilla Band of Indians. Staff has concluded that the MND covered the issues the City found necessary to be addressed, including topics such as land use policies, safety, aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality noise effects and traffic impacts during operation of the project. In addition to the mitigation measures included in the MND, staff has included conditions of approval in support of the Mitigated Negative Declaration.

Cultural:

Mitigation Measures:

- CUL-1 *A copy of the records search with associated survey reports and site records from the information center shall be prepared prior to the initiation of any ground disturbing activity on the property. The City shall provide the records search to the Agua Caliente Band of Cahuilla Indians.*
- CUL-2 *A cultural resources inventory of the project site shall be completed by a qualified archaeologist prior to any ground disturbing activities on the project site. The City shall provide the inventory to the Agua Caliente Band of Cahuilla Indians.*

Monitoring:

- CUL-A *The applicant shall provide the City with an archaeological records search and on-site inventory performed by a qualified archaeologist prior to the issuance of any ground-disturbing permit on the project site.
Responsible Party: Project Archaeologist, Planning Department.*

E. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project, including, but not limited to, the staff report, the CEQA Initial Study, and all written and oral testimony presented.

F. Pursuant to Section 94.02.00 of the Palm Springs Zoning Code for a Conditional Use Permit the Planning Commission finds:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

PSZC Section 92.17.01(A)(13)(14) allows for medical or adult-use cannabis cultivation facility and dispensary, subject to the development standards contained in Section 92.23.15 of the PSZC. The proposed cannabis facility will occur within four (4) industrial buildings totaling 35,496 square feet in size. The location is zoned M-2; cannabis cultivation and manufacturing facility are permitted uses with the approval of a Conditional Use Permit.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject property is RBC (Regional Business Center) generally located at the Indian Canyon Drive interchange adjacent to Interstate 10. The RBC area is intended to accommodate a wide variety of business activities in a multi-use environment. Usages in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. The proposed cannabis facility is a large scale operation that will meet the intended goals of the

Regional Business Center land use designation.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The proposed industrial buildings will be sited on an undeveloped 2.1-acre parcel. The structures will meet all the development standards of the zoning designation in terms setbacks, height limitations, landscaping and parking requirements. The main issue facing development projects in this area of the City is the lack of City sewer services. This project will be required to install an on-site treatment system capable of handling the anticipated waste discharge generated by the proposed project. The site is adequate in size to accommodate the proposed cannabis facility and will be conditioned to meet all the required development standards relative to installation of walls, fences and landscaping.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The undeveloped 2.1-acre site fronts Ruppert Street between 19th Avenue and 20th Avenue. The location has direct access to 19th Avenue and also to North Indian Canyon Drive east of the site. North Indian Canyon Drive is a Major Thoroughfare with an on-ramp to the I-10 freeways. The existing street network is adequate to support the trips generated by the proposed use. The proposed use will not impact the nearby streets and highways. Access into the site will be from Ruppert Street.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The conditions imposed as part of this Conditional Use Permit are intended to minimize impacts on the surrounding community. Mitigation measures and conditions of approval have been included to ensure that the facility operates in a manner which protects the public health, safety and general welfare. These conditions include compliance with the City's noise ordinance and other necessary requirements. Proposed cannabis cultivation activities will be carried out indoors, thereby limiting the amount of odors generated by the activities.

THE PLANNING COMMISSION RESOLVES:

That the findings and determinations reflected above are true and correct, and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolution. Based upon the foregoing, the Planning Commission hereby adopts a Mitigated Negative Declaration (MND) and approves Conditional Use

Permit application Case No. 5.1437-CUP for the operation of cannabis related businesses including manufacturing, cultivation and a dispensary facility within four industrial buildings totaling 35,496 square feet located on the east side of Ruppert Street, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 12th day of September, 2018.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Conditional Use Permit Case 5.1437-CUP

Richard Pantele – Cannabis Manufacturing, Cultivation and a Dispensary Facility

East Side of Ruppert Street between 19th & 20th Avenues

September 12, 2018

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1437-CUP.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped September 12, 2018, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to

attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1437-CUP. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 7. Time Limit on Approval. Approval of the Conditional Use Permit (CUP) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the approval.

ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 9. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.

ADM 10. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers (conditional use permits only)

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV 2. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the mitigated negative declaration will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the CEQA Evaluation and summarized here as follows:

Cultural:

Mitigation Measures:

CUL-1 *A copy of the records search with associated survey reports and site records from the information center shall be prepared prior to the initiation of any ground disturbing activity on the property. The City shall provide the records search to the Agua Caliente Band of Cahuilla Indians.*

CUL-2 *A cultural resources inventory of the project site shall be completed by a qualified archaeologist prior to any ground disturbing activities on the project site. The City shall provide the inventory to the Agua Caliente Band of Cahuilla Indians.*

Monitoring:

CUL-A *The applicant shall provide the City with an archaeological records search and on-site inventory performed by a qualified archaeologist prior to the issuance of any ground-disturbing permit on the project site.
Responsible Party: Project Archaeologist, Planning Department.*

ENV 3. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of

Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

- ENV 4. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 5. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
 - b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 2. Licensing: Palm Springs Northern Lights shall remain in compliance with Chapter 5.45 and 5.55 of the City Municipal Code and Section 93.23.15 of the Palm Springs Zoning Code relative to City licensing regulations for Cannabis Facilities.
- PLN 3. Palm Springs Northern Lights shall provide adequate air filtration so as to prevent any detectable odor at the exterior of the premises. Within twenty-four (24) hours of

any complaint concerning odors emanating from or originating within the facility, the operator shall respond to the complaint in question, and shall timely file a written disclosure to the Building Official documenting any and all actions taken and planned to address the odor complaint. Any failure to timely submit a written disclosure, a more detailed implementation plan and/or performance schedule shall be grounds to start the revocation process of the Conditional Use Permit.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

MISSION SPRINGS WATER DISTRICT (MSWD)

See the attached for Mission Springs Water District Comments and Conditions.

FIRE DEPARTMENT CONDITIONS

FID 1 These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the site plan stamped received on March 22, 2018. Additional requirements may be required at that time based on revisions to plans. Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review.

FID 2 Fire Department Conditions were based on the *2016 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code, PSFD Appendix "O" Development Requirements and latest adopted NFPA Standards. Three (3) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal. No deferred submittals accepted.

FID 3 PLANS AND PERMITS

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of three (3) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall include all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supporting data, (calculations and manufacturers technical data sheets) including fire flow data, shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID 4 Fire Flow Requirements (CFC Appendix B): Fire flow requirement for this project is: 1,500 GPM for a 3-hour duration. Construction Type IIIB.

FID 5 Required Water Supply (CFC 507.1): An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

FID 6 **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & Table C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.

- Maximum distance from any point on street frontage to a public hydrant – 250 feet
- Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to and during construction

FID 7 **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.

FID 8 **Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

FDC SERVES
? RUPPERT ST
[Designate Buildings Served]

FID 9 **NFPA 13 Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13, 2013 Edition, as modified by local ordinance.

FID 10 **Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.

- FID 11 **Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 12 **Key Box Required (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.
- FID 13 **Fire Extinguisher Requirements (CFC 906):** Provide one (1) 2A-10B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above ground level.
- FID 14 **Carbon Dioxide Enrichment (TP# 16-001):** Technical Policy 16-001 requirements apply if carbon dioxide enrichment practices are planned.
- Project Note:** Submitted plans are very vague and do not provide information on uses and practices
- FID 15 **Plant Processing & Extraction (TP #16-002):** Technical Policy 16-002 requirements apply for plant processing and extraction.

FID 16 Hazardous Materials (CFC 5004.1): Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

Project Note: Provide hazardous materials storage plan as prepared by a fire protection consulting firm approved by the fire department. Consult with fire department on reporting quantities

Project Note: Submitted plans are very vague and do not provide information on uses and practices

Project Note: Contact Riverside County Department of Environmental Health (Haz-Mat) for permitting requirements

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. All improvements are subject to inspection and a 24 to 48 hour inspection notification is required.

RUPPERT STREET

ENG 2. Construct two (2) 24 feet wide driveway approaches in accordance with City of Palm Springs Standard Drawing No. 201.

ENG 3. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

ENG 4. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ON-SITE

- ENG 5. The minimum pavement section for all on-site pavement (drive aisles and parking spaces) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 6. The applicant shall provide a copy of an executed and recorded reciprocal access agreement for the joint use of the common parking lot located on Lots 32 through 37 and 47 of Parcel Map 20820, prior to approval of a grading plan.

SANITARY SEWER

- ENG 7. Construct a private sanitary sewer system in accordance with City of Palm Springs Ordinance No. 1084. The record property owner shall enter into a covenant agreeing to extend the private sewer lines the necessary distance to connect to the public sewer system within one year of official notice that an operating public sewer has been completed within 500 feet of the lot. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the applicant prior to issuance of any grading or building permits.
- ENG 8. The City recommends that the applicant contact the Riverside County Health Department for requirements related to the construction of private septic systems. Private septic systems require additional environmental requirements from Riverside County Health Department and the Regional Water Quality Control Board. A "Plan Check Clearance" for septic tank systems will be performed by Riverside County Health Department and Regional Water Quality Control Board, following permits for construction of the septic system will be issued by the City of Palm Springs.
- ENG 9. This project is subject to the requirements of the Mission Springs Water District (MSWD). Provisions for domestic water supply and public sanitary sewer service must be arranged for directly with MSWD. The applicant should contact MSWD (at 760-329-6448) and determine what

requirements MSWD may have for provisions of domestic water and/or sanitary sewer service to the property.

GRADING

ENG 10. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Services Department for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Services Department for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Services Department with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Services Department prior to approval of the Grading plan.

b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report; a copy of the project-specific Final Water Quality Management Plan.

ENG 11. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

- ENG 12. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 13. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 14. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 15. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 16. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 17. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Services Department with the first submittal of a grading plan (if required) or prior to issuance of any permit.

- ENG 18. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Services Department prior to construction of any building (or structure) foundation.
- ENG 19. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 20. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 21. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative

instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

DRAINAGE

- ENG 22. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMPs).
- ENG 23. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Ruppert Street. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 24. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development.

- ENG 25. In accordance with the Parcel Map No. 20820 Environmental Constraint Sheet, the grades within the 55-foot wide half-street drainageway designed as part of Newhall Street, must be maintained near the existing elevations. The 55 feet wide area shown as "subject to flooding" on the Environmental Constraint Sheet shall be kept free of obstructions (including flow restricting fencing or walls).
- ENG 26. In accordance with the Parcel Map No. 20820 Environmental Constraint Sheet, all new buildings should be floodproofed to a height of 18 inches above the surrounding ground.

GENERAL

- ENG 27. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.
- ENG 28. All proposed utility lines shall be installed underground.
- ENG 29. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 30. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
- ENG 31. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Services Department prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

- ENG 32. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 33. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 34. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.
- ENG 35. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks. Minimum clearance on public sidewalks shall be provided by either an additional dedication of a sidewalk easement if necessary and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.
- ENG 36. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 37. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.
- ENG 38. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

END OF CONDITIONS



August 6, 2018

City of Palm Springs
Planning Department
Edward Robertson, Principal Planner
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Comments on Mitigated Negative Declaration and “DRAFT” Conditions of Approval – Case No. 5.1437- CUP, Palm Springs Northern Lights Cannabis Cultivation and Manufacturing Center

The proposed project site is within the boundaries of the Mission Springs Water District’s (MSWD or District) service area. The proposed project will result in the development of a cannabis cultivation and manufacturing center on approximately 2.01 acres (gross) located on the east side of Ruppert Street between 19th Avenue and Orr Way in the City of Palm Springs, California. At buildout, the proposed Project will consist of four (4) buildings ranging from 5,855 to 18,370 square feet in size, totaling 37,874 square feet. Project is located on APN 666-402-007, -009, -011, -013, 666-422-001, in the City of Palm Springs.

Comments on Mitigated Negative Declaration

MSWD has adequate water supply to serve the proposed project and does not require any additional mitigation

Conditions of Approval

General Conditions

The five (5) parcels identified for this proposed project shall be merged in order to comply with MSWD ordinances to be served as a single property. The Parcel Merger shall be recorded prior to Final Occupancy.

Water Service

Water service is currently available to the proposed parcel and is subject to the following conditions of service:

1. The developer shall comply with all rules, laws, ordinances, guidelines, and regulations of the District at the time the water service application is submitted.
2. There is an existing 10” water main located on the west side of Ruppert Street that shall be used as the connection point for fire, domestic, and irrigation services.



3. The developer shall comply with all the District standards, specifications and conditions, and have final approval of all design plans by the District Engineer or his/her designee, and the District's General Manager.
4. The developer shall provide fire, domestic, and irrigation service capable of serving all phases.
5. The installation of backflow prevention devices will be required for all domestic, irrigation, and fire service connections.
6. Installation of private fire line services may be required per City of Palm Springs Fire Department Standards. Double check detector assemblies (DCDA) per MSWD Standards will be a requirement at the time of installation.
7. The developer must submit hydraulic calculations to the District indicating the availability of the required fire flows as determined by the City of Palm Springs Fire Department. These calculations shall be based on a current fire hydrant flow test which can be ordered through the MSWD Engineering Department.
8. MSWD requires having all of its facilities within the public right-of-way or recorded and dedicated easements to be dedicated prior to construction.
9. The developer is required to apply for water service and submit payment for District fees, charges, and deposits. The water meter and connection fees will be based on the actual meter sizes and quantities shown on the approved plans. All fees are subject to change based on the time of application for services from the District.

Sewer Service

Sewer service is currently unavailable for the proposed project, but the following condition shall apply to the installation of septic system(s) in order to assure groundwater protection:

1. MSWD requires submittal of proposed plumbing plans showing all connections to the septic system(s) and the size and location of the proposed disposal system(s) for the project.

2. A Report of Waste Discharge shall be prepared by a qualified Licensed Professional Engineer in accordance with the requirements currently in use by the California State Water Resources Control Board (CSWRCB). The report shall be submitted to the Regional Water Quality Control Board and/or Riverside County Health Department as determined by CSWRCB.

Landscape

As applicable per City requirements:

All new and rehabilitated residential and commercial development shall comply with the *Mission Springs Water District's Water Efficient Landscaping Guidelines* (guidelines are available at www.ms wd.org). This policy requires outdoor water conservation practices within the MSWD service area, specifically: (1) the creation of landscape plans featuring the use of California native desert friendly plants; and (2) the preparation of irrigation plans detailing water efficient irrigation technology systems (e.g., drip irrigation, evapotranspiration irrigation controllers, etc.) appropriate to an arid desert climate. For additional details regarding plan check and inspection fees, please contact Theresa Murphy via email at tmurphy@mswd.org or (760) 329-5169 ext. 126.

If we can be of further assistance, please do not hesitate to contact me.

Sincerely,

Luiz Santos
Associate Engineer
(760) 329-5169 ext. 125
lsantos@mswd.org

"A PERMITTED USE - PRELIMINARY APPROVAL"

IN THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA FOR: PALM SPRINGS NORTHERN LIGHTS

BEING A PORTION OF SECTION 33, TOWNSHIP 4
SOUTH, RANGE 5 EAST, SAN BERNARDINO MERIDIAN

15.1437

RECEIVED

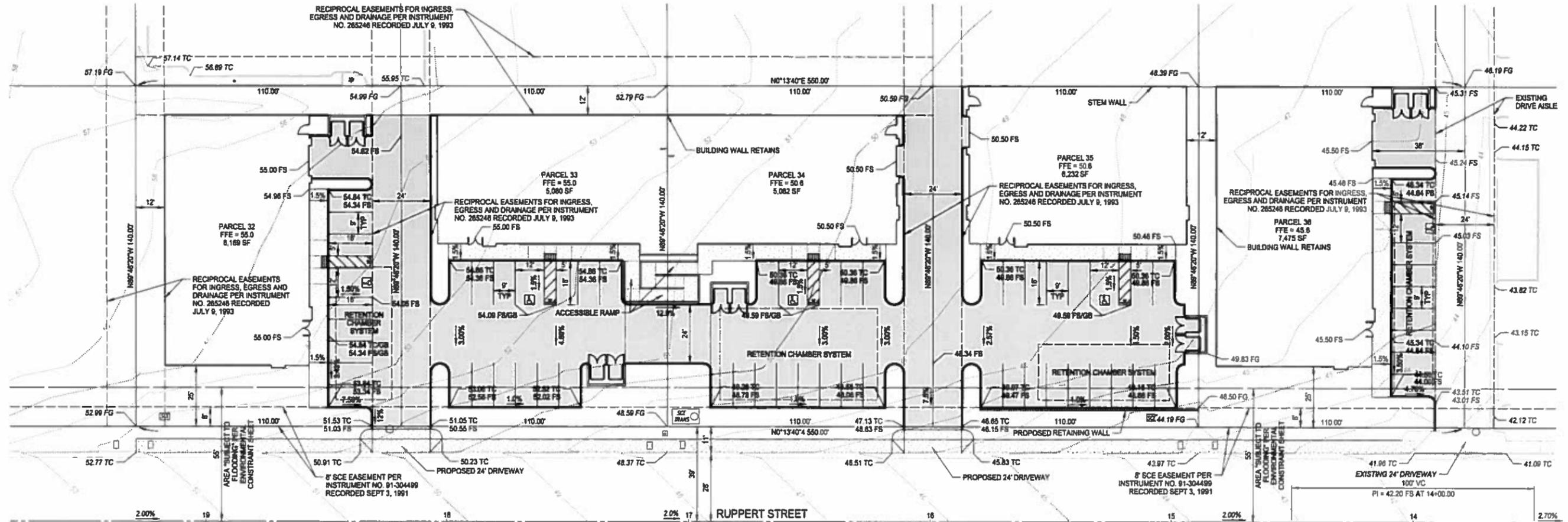
MAR 22 2018

PLANNING SERVICES
DEPARTMENT

ANDR



IN THE CITY OF PALM SPRINGS
PRELIMINARY GRADING PLAN
 GASTADORA, LLC



SCALE 1" = 20'

MTH2
 639 Lakewood Drive
 Riverside, CA 92506
 (951) 850-2190
 www.mth2engineering.com
 civil • water resources • storm water
 urban design and planning

LEGEND

| | |
|-------------------------------|-------|
| EXISTING INDEX CONTOUR | --- |
| EXISTING INTERMEDIATE CONTOUR | --- |
| EXISTING STRUCTURE | --- |
| EXISTING CONCRETE | --- |
| EXISTING CURB | --- |
| GRADIENT AND DIRECTION | 2.0% |
| EXISTING ELEVATION | 27.50 |
| PROPOSED ELEVATION | 27.50 |
| CONCRETE PAVEMENT | --- |
| AC PAVEMENT | --- |

OWNER/APPLICANT
 GASTADORA, LLC
 PO BOX 8478
 NEWPORT BEACH, CA 92658
 (714) 438-9814
 ATTN: MERVYN KRSHNER

ENGINEER/CONTACT PERSON
 THIS PLAN WAS PREPARED UNDER THE DIRECTION OF MARTEN L. ANDERSON, A REGISTERED CIVIL ENGINEER IN THE STATE OF CALIFORNIA.

AUGUST 7, 2017
 DATE

MARTEN L. ANDERSON
 RCE 51313, EXPIRES 8-30-18
 MTH2 ENGINEERING, INC.
 639 LAKEWOOD DRIVE
 RIVERSIDE, CA 92506
 (951) 850-2190

ASSESSOR'S PARCEL NUMBERS
 866-402-001, -007, -009, -013 AND 866-442-001

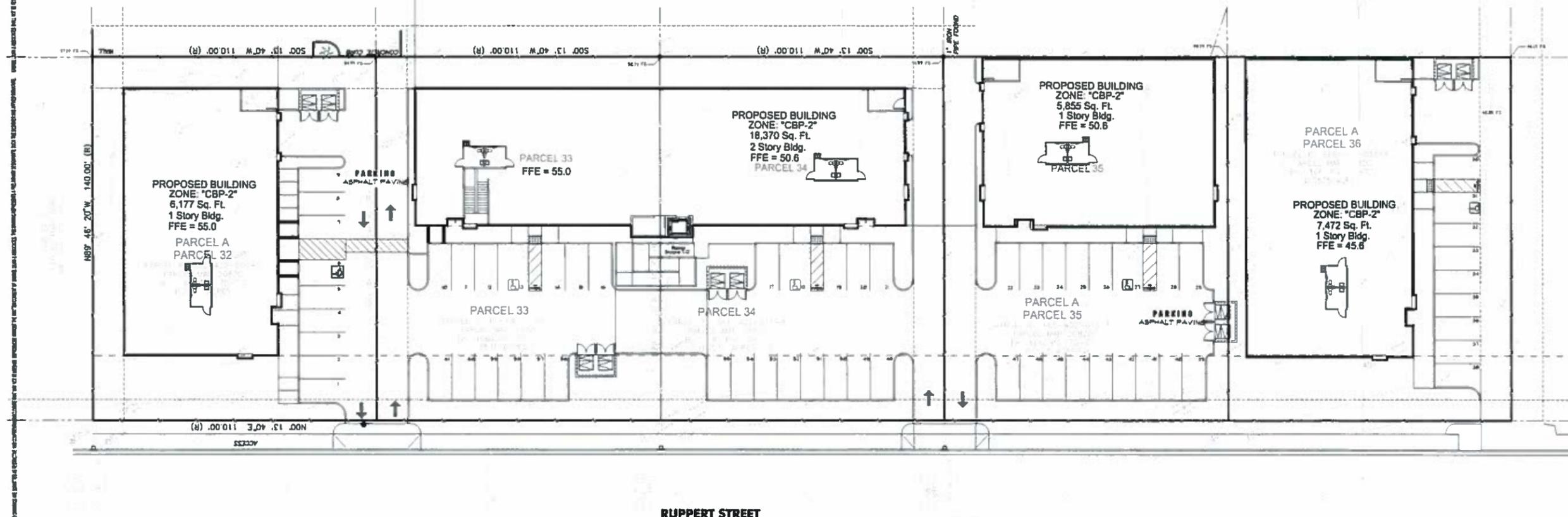
"A PERMITTED USE - PRELIMINARY APPROVAL"

IN THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA FOR: PALM SPRINGS NORTHERN LIGHTS



GABRIEL LUJAN & ASSOCIATES

BEING A PORTION OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 5 EAST,
SAN BERNARDINO MERIDIAN



GABRIEL LUJAN & ASSOCIATES
DESIGN • LAND PLANNING
GABRIEL LUJAN
PRINCIPAL DESIGNER
36-947 COOK ST., STE. 104
PALM SPRINGS, CA 92262
CELL (951) 421-7777 FAX (951) 421-8100
EMAIL: g@gabriel-lujan.com

AN INDUSTRIAL COMPLEX FOR:
PALM SPRINGS NORTHERN LIGHTS
PALM SPRINGS, CA.

| REVISIONS | BY |
|------------------------|-----|
| BLD DEPT PLAN CHECK | GLA |

GENERAL INFORMATION

| OWNER/APPLICANT/DEVELOPER | ZONE DESIGNATION | PARKING CALCULATIONS (ASSUMED USES) PARCEL 32 |
|--|--------------------------------------|--|
| GASTADORA LLC P O BOX 8478 NEWPORT BEACH, CA 92658 | M2 | OFFICE AREA 450 SQ FT @ 1/250 = 2 SPACES WAREHOUSE AREA 4,000 SQ FT @ 1/800 = 6 SPACES MANUFACTURING AREA 1,677 SQ FT @ 1/500 = 3 SPACES TOTAL REQUIRED 10 SPACES |
| ACREAGE | TOTAL BUILDINGS SQ FT | PARKING CALCULATIONS (ASSUMED USES) PARCEL 33 & 34 |
| GROSS 2.01 ± ACRES | PARCEL 32 6,177 SQ FT | FIRST FLOOR 10,170 SQ FT |
| LEGAL DESCRIPTION | PARCEL 33 & 34 18,370 SQ FT | OFFICE AREA 450 SQ FT @ 1/250 = 2 SPACES WAREHOUSE AREA 6,520 SQ FT @ 1/800 = 8 SPACES MANUFACTURING AREA 3,200 SQ FT @ 1/500 = 6 SPACES TOTAL REQUIRED 16 SPACES |
| LOTS 32-36 | PARCEL 35 5,855 SQ FT | SECOND FLOOR 8,200 SQ FT |
| ASSESSOR'S PARCEL NO'S | PARCEL 36 7,472 SQ FT | WAREHOUSE AREA 4,500 SQ FT @ 1,800 = 6 SPACES MANUFACTURING AREA 3,700 SQ FT @ 1,500 = 7 SPACES TOTAL REQUIRED 13 SPACES |
| 666-402-007 | TOTAL PROJECT SQ FT 37,874 SQ FT | PARKING CALCULATIONS (ASSUMED USES) PARCEL 35 |
| 666-402-009 | | OFFICE AREA 450 SQ FT @ 1/250 = 2 SPACES WAREHOUSE AREA 3,683 SQ FT @ 1,800 = 5 SPACES MANUFACTURING AREA 1,222 SQ FT @ 1,500 = 3 SPACES TOTAL REQUIRED 10 SPACES |
| 666-402-011 | | PARKING CALCULATIONS (ASSUMED USES) PARCEL 36 |
| 666-402-013 | | OFFICE AREA 450 SQ FT @ 1/250 = 2 SPACES WAREHOUSE AREA 4,900 SQ FT @ 1,800 = 6 SPACES MANUFACTURING AREA 2,122 SQ FT @ 1,500 = 4 SPACES TOTAL REQUIRED 12 SPACES |
| 666-442-001 | | |
| SITE DATA PARCEL 32 | SITE DATA PARCEL 35 | TOTAL PARKING SPACES REQUIRED: 61 SPACES - PROVIDED 61 SPACES INCLUDING 5 ADA ACCESSIBLE SPACES |
| PROPOSED BUILDING 6,177 SQ FT 40% | PROPOSED BUILDING 5,855 SQ FT 38% | |
| TOTAL LANDSCAPE AREA 1,794 SQ FT 12% | TOTAL LANDSCAPE AREA 2,119 SQ FT 14% | |
| TOTAL HARDSCAPE AREA 7,426 SQ FT 48% | TOTAL LANDSCAPE AREA 7,626 SQ FT 40% | |
| LAND AREA 15,400 SQ FT 100% | LAND AREA 15,400 SQ FT 100% | |
| SITE DATA PARCEL 33 & 34 | SITE DATA PARCEL 36 | |
| PROPOSED BUILDING 18,370 SQ FT | PROPOSED BUILDING 7,472 SQ FT 49% | |
| FIRST FLOOR PAD 10,170 SQ FT 33% | TOTAL LANDSCAPE AREA 3,194 SQ FT 21% | |
| TOTAL LANDSCAPE AREA 4,679 SQ FT 15% | TOTAL LANDSCAPE AREA 4,734 SQ FT 31% | |
| TOTAL HARDSCAPE AREA 15,951 SQ FT 53% | TOTAL HARDSCAPE AREA 4,734 SQ FT 31% | |
| LAND AREA 30,800 SQ FT 100% | LAND AREA 15,400 SQ FT 100% | |

BLDG. HT.
Pursuant to PSZC Section 92.17.103(C)(2)(b) Building Height Buildings and structures shall have a height not greater than forty (40) feet, provided that any portion of buildings in excess of thirty (30) feet are (1) located on a parcel of not less than one (1) acre in size, and (2) set back one (1) foot from any property line for every one (1) foot of vertical rise. Buildings which exceed forty (40) feet in height may be permitted pursuant to the provisions of Sections 93.04.00 and 94.02.00.

VICINITY MAP



SITE PLAN

SCALE: 1" = 10'-0"



SHEET TITLE:

PRELIMINARY SITE PLAN

DRAWN GLA
CHECKED GLA
DATE FEBRUARY 2017
SCALE AS NOTED
JOB NO. PS-01-09-28-17

SHEET

P1

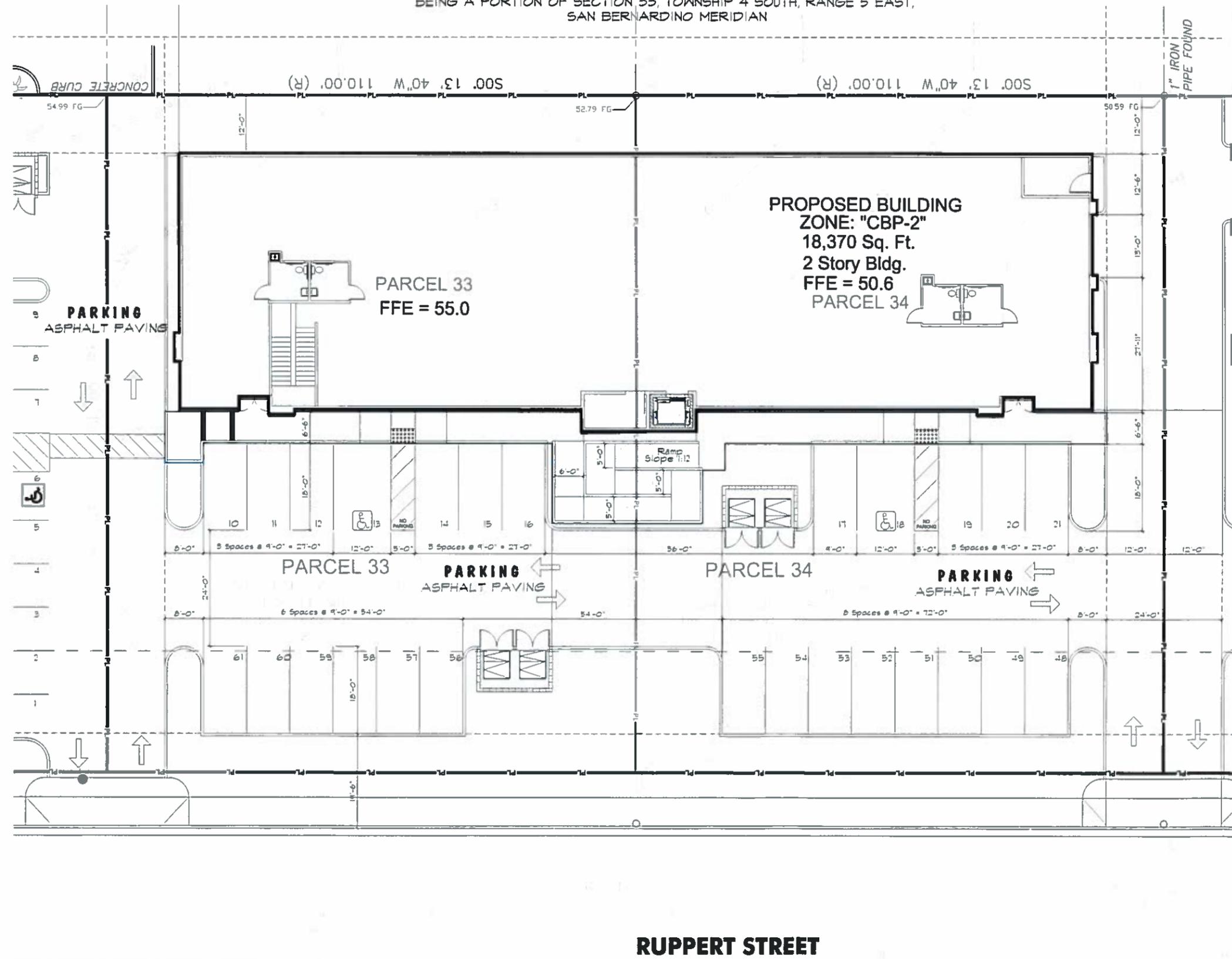
Printed On: 08/09/17

"A PERMITTED USE - PRELIMINARY APPROVAL"

IN THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA

PALM SPRINGS NORTHERN LIGHTS

BEING A PORTION OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 5 EAST,
SAN BERNARDINO MERIDIAN



UTILITY PURVEYORS

| | | |
|-------------|-----------------------------------|---------------|
| WATER | SAN GABRIEL VALLEY WATER DISTRICT | 7082 940-280 |
| SEWER | 7082 940-280 | 7082 940-280 |
| ELECTRICITY | SOUTHERN CALIFORNIA Edison | 800 940-280 |
| Gas | SOUTHERN CALIFORNIA GAS COMPANY | 800 427-2200 |
| CABLE | THE HORNER CABLE | 7082 940-2200 |
| TELEPHONE | PALM SPRINGS COUNCIL OF DISTRICT | 7082 940-2200 |

GENERAL INFORMATION

OWNER/APPPLICANT/DEVELOPER
GASTADORA LLC
P O BOX 8478
NEWPORT BEACH, CA 92650

ASSESSOR'S PARCEL NO
884-422-015-08

ZONING
M2 ZONE

ACREAGE
GROSS .50 ± ACRES

LEGAL DESCRIPTION
PARCEL 33 & 34
PARCEL ID: 884-422-008/011
PARCEL MAP 70870
S: 15E, T: 4S, R: 5E
0.5123 ACRES

SITE DATA PARCEL 33 & 34
PROPOSED BUILDING 18,370 SQ FT
BUILDING PAD 10,170 SQ FT 33%
TOTAL LANDSCAPE AREA 8,879 SQ FT 13%
TOTAL HARDSCAPE AREA 15,891 SQ FT 53%
LAND AREA 30,800 SQ FT 100%

PARKING CALCULATIONS (ASSUMED USES) PARCEL 33 & 34
FIRST FLOOR 10,170 SQ FT
OFFICE AREA 450 SQ FT @ 1/250 = 2 SPACES
WAREHOUSE AREA 8,520 SQ FT @ 1/800 = 8 SPACES
MANUFACTURING AREA 3,200 SQ FT @ 1/500 = 6 SPACES
SUB-TOTAL REQUIRED 16 SPACES

SECOND FLOOR 8,200 SQ FT
WAREHOUSE AREA 4,500 SQ FT @ 1/800 = 6 SPACES
MANUFACTURING AREA 3,700 SQ FT @ 1/500 = 7 SPACES
SUB-TOTAL REQUIRED 13 SPACES
TOTAL REQUIRED 29 SPACES

BLDG. HT.
Pursuant to PSJC Section 82.17 (1)(5)(C)(2)(b), Building height, Building and structures shall have a height not greater than forty (40) feet, provided that any portion of buildings in excess of forty (40) feet are (1) located on a parcel of not less than one (1) acre in size, and (2) set back one (1) foot from any property line for every one (1) foot of vertical rise. Buildings which exceed forty (40) feet in height may be permitted pursuant to the provisions of Sections 83.04.00 and 84.02.



GABRIEL LUJAN & ASSOCIATES
DESIGN • LAND PLANNING
GABRIEL LUJAN
PRINCIPAL DESIGNER
36-947 COOK ST., STE. 104
PALM DESERT, CA 92211
TEL: (760) 949-8100
EMAIL: gaj@gabriel-lujan.com

**AN INDUSTRIAL COMPLEX FOR:
PALM SPRINGS NORTHERN LIGHTS
PALM SPRINGS, CA.**

| REVISIONS | BY |
|-----------|----|
| | |
| | |
| | |

SHEET TITLE:
**PARCEL 33 & 34
PRELIMINARY
SITE PLAN**

DRAWN GLA
CHECKED GLA
DATE FEBRUARY 2017
SCALE AS NOTED
JOB NO. PS-0103-2017

SHEET
P3

Printed On: 08/09/17



SITE PLAN
SCALE: 1"=10'

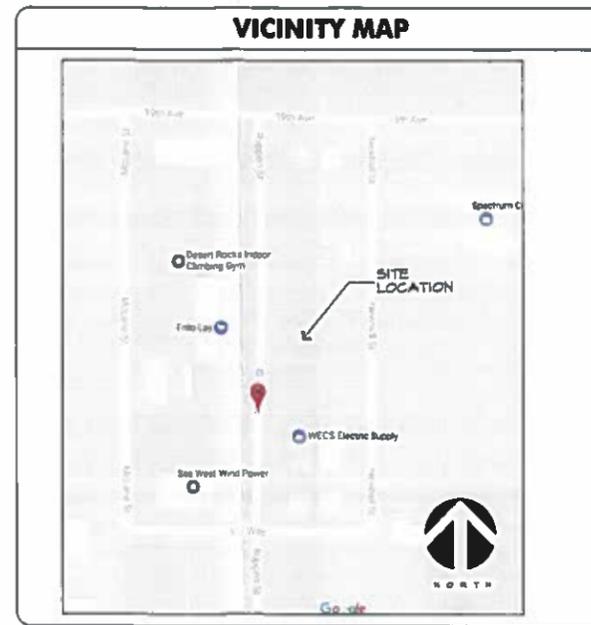
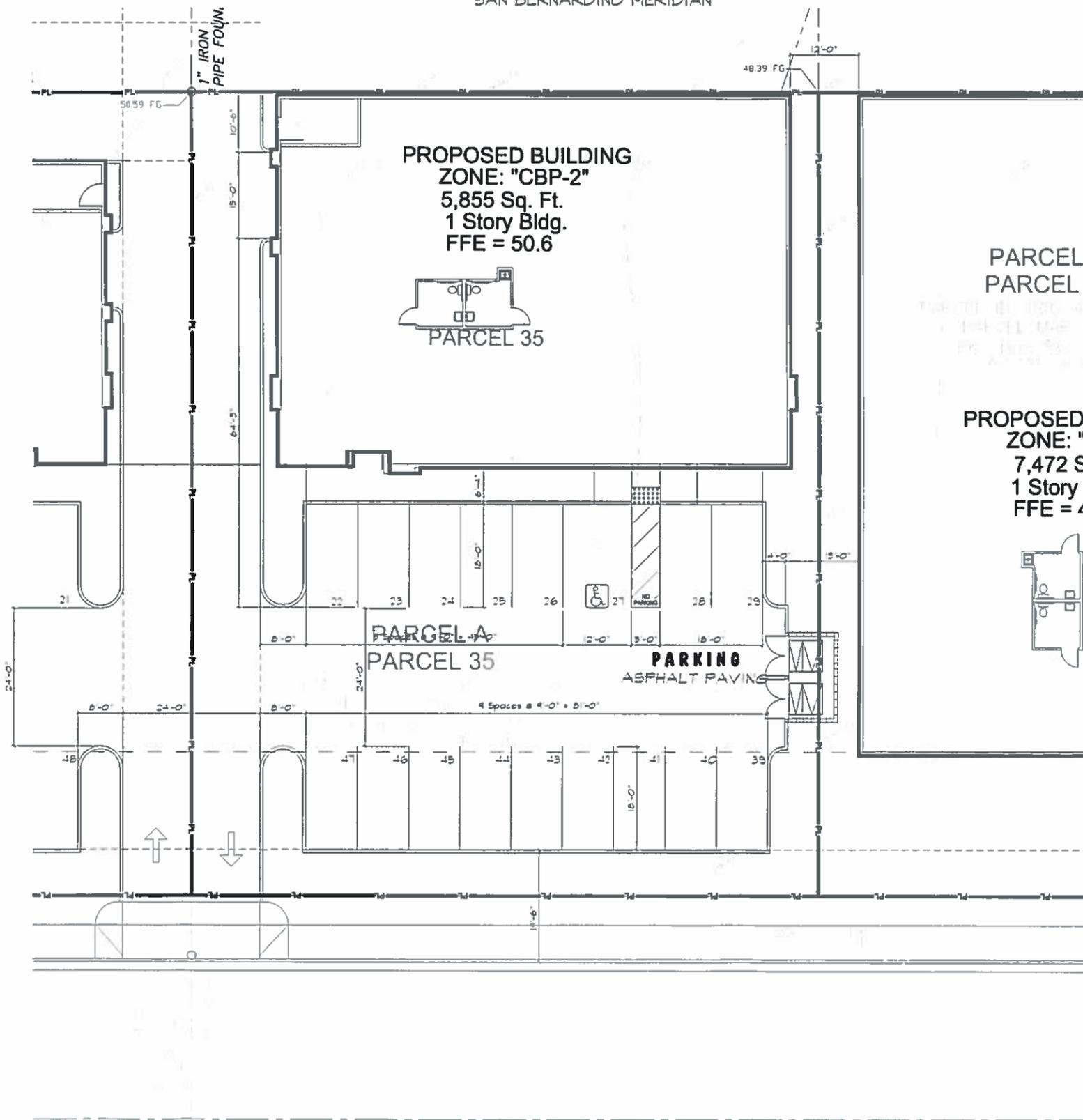
RUPPERT STREET

THIS DOCUMENT IS THE PROPERTY OF GABRIEL LUJAN & ASSOCIATES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF GABRIEL LUJAN & ASSOCIATES IS STRICTLY PROHIBITED.

"A PERMITTED USE - PRELIMINARY APPROVAL"

IN THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA PALM SPRINGS NORTHERN LIGHTS

BEING A PORTION OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 5 EAST,
SAN BERNARDINO MERIDIAN



UTILITY PURVEYORS

| | | |
|---------------|--------------------------------------|----------------|
| SEWER & WATER | COACHELLA VALLEY WATER DISTRICT | (760) 248-2481 |
| TELEPHONE | VERIZON | (800) 485-8000 |
| ELECTRICITY | SOUTHERN CALIFORNIA Edison | (800) 750-2809 |
| GAS | SOUTHERN CALIFORNIA GAS COMPANY | (800) 431-2200 |
| CABLE | THE HARPER CABLE | (760) 540-2228 |
| SCHOOL | PALM SPRINGS UNIFIED SCHOOL DISTRICT | (760) 448-8000 |

GENERAL INFORMATION

OWNER/APPLICANT/DEVELOPER:
 GASTADORA LLC
 P O BOX 8478
 NEWPORT BEACH, CA 92658

ASSESSOR'S PARCEL NO.:
 666-402-015-08

ACREAGE:
 GROSS .50 ± ACRES

ZONING:
 M2 ZONE

LEGAL DESCRIPTION:
PARCEL 35
 PARCEL ID: 666-402-013
 PARCEL MAP 20820
 BK 166, PG 70-73
 0.3535 ACRES

SITE DATA PARCEL 35

| | | |
|----------------------|--------------|------|
| PROPOSED BUILDING | 5,855 SQ FT | 38% |
| TOTAL LANDSCAPE AREA | 2,119 SQ FT | 14% |
| TOTAL HARDSCAPE AREA | 7,526 SQ FT | 48% |
| LAND AREA | 15,400 SQ FT | 100% |

PARKING CALCULATIONS (ASSUMED USES)

| | |
|---------------------------|--------------------------------|
| OFFICE AREA | 450 SQ FT @ 1/250 = 2 SPACES |
| WAREHOUSE AREA | 3,683 SQ FT @ 1/800 = 5 SPACES |
| MANUFACTURING AREA | 1,722 SQ FT @ 1/500 = 3 SPACES |
| TOTAL REQUIRED: 10 SPACES | |

BLDG. HT.
 Pursuant PS2C Section 82.17.1 (A)(2)(2a) Building height: Buildings and structures shall have a height not greater than forty (40) feet, provided that any portion of buildings in excess of thirty (30) feet are (1) located on a parcel of not less than one (1) acre in size and (2) not less than (1) foot from any property line for every one (1) foot of vertical rise. Buildings which exceed forty (40) feet in height may be permitted pursuant to the provisions of Sections 83.04.00 and 84.02.00.



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SHEET TITLE:
**PARCEL 35
 PRELIMINARY
 SITE PLAN**

DRAWN: GLA
 CHECKED: GLA
 DATE: FEBRUARY 2017
 SCALE: AS NOTED
 JOB NO.: PS-0103-2K17

SHEET
P4
 Printed On: 08/09/17

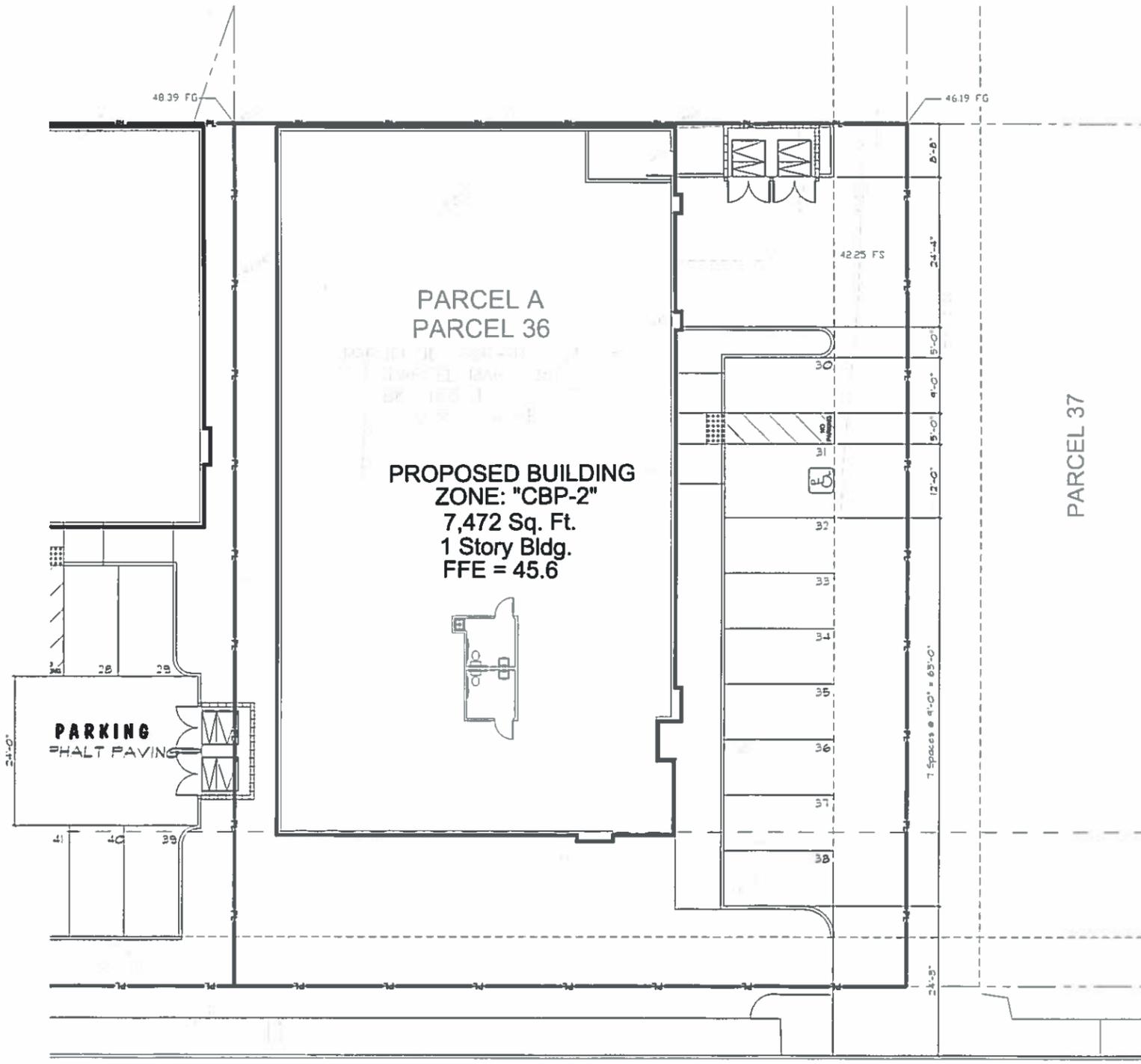
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"A PERMITTED USE - PRELIMINARY APPROVAL"

IN THE CITY OF PALM SPRINGS, STATE OF CALIFORNIA PALM SPRINGS NORTHERN LIGHTS

BEING A PORTION OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 5 EAST,
SAN BERNARDINO MERIDIAN



| UTILITY PURVEYORS | | |
|-------------------|--------------------------------------|----------------|
| SEWER & WATER | COACHELLA VALLEY WATER DISTRICT | (760) 969-2651 |
| TELEPHONE | VERIZON | (800) 488-4000 |
| ELECTRICITY | SOUTHERN CALIFORNIA EDISON | (800) 750-2609 |
| GAS | SOUTHERN CALIFORNIA GAS COMPANY | (800) 477-2200 |
| CABLE | THE WARNER CABLE | (760) 540-2229 |
| SCHOOL | PALM SPRINGS UNIFIED SCHOOL DISTRICT | (760) 446-6000 |

| GENERAL INFORMATION | |
|--|----------------------------------|
| <u>OWNER/APPLICANT/DEVELOPER</u> | |
| GASTADORA LLC P O BOX 8478 NEWPORT BEACH CA 92658 | |
| <u>ASSESSOR'S PARCEL NO.</u> | |
| 666-402-D15-08 | |
| <u>ACREAGE</u> | |
| GROSS .50 ± ACRES | |
| <u>ZONING</u> | |
| M2 ZONE | |
| <u>LEGAL DESCRIPTION</u> | |
| PARCEL 36 | |
| PARCEL ID: 666-442-001 | |
| PARCEL MAP: 20820 | |
| BK: 166, PG: 70-73 | |
| 0.3535 ACRES | |
| <u>SITE DATA: PARCEL 36</u> | |
| PROPOSED BUILDING | 7,472 SQ. FT. 49% |
| TOTAL LANDSCAPE AREA | 3,194 SQ. FT. 21% |
| TOTAL HARDSCAPE AREA | 4,734 SQ. FT. 31% |
| LAND AREA | 15,400 SQ. FT. 100% |
| <u>PARKING CALCULATIONS (ASSUMED USES)</u> | |
| OFFICE AREA | 450 SQ. FT. @ 1/250 = 2 SPACES |
| WAREHOUSE AREA | 4,900 SQ. FT. @ 1/800 = 6 SPACES |
| MANUFACTURING AREA | 2,122 SQ. FT. @ 1/500 = 4 SPACES |
| TOTAL REQUIRED 12 SPACES | |
| <u>BLDG. HT.</u> | |
| Pursuant PSC Section 82.171 (3)(C)(2)(i) Building height: Buildings and structures shall have a height not greater than forty (40) feet, provided that any portion of buildings in excess of thirty (30) feet are (1) located on a parcel of not less than one (1) acre in size, and (2) set back one (1) foot from any property line for every one (1) foot of vertical rise. Buildings which exceed forty (40) feet in height may be permitted pursuant to the provisions of Sections 83.04.00 and 84.02.00. | |



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SHEET TITLE:
**PARCEL 36
PRELIMINARY
SITE PLAN**

DRAWN: GLA
CHECKED: GLA
DATE: FEBRUARY 2017
SCALE: AS NOTED
JOB NO.: PS-0103-2K17

SHEET
P5

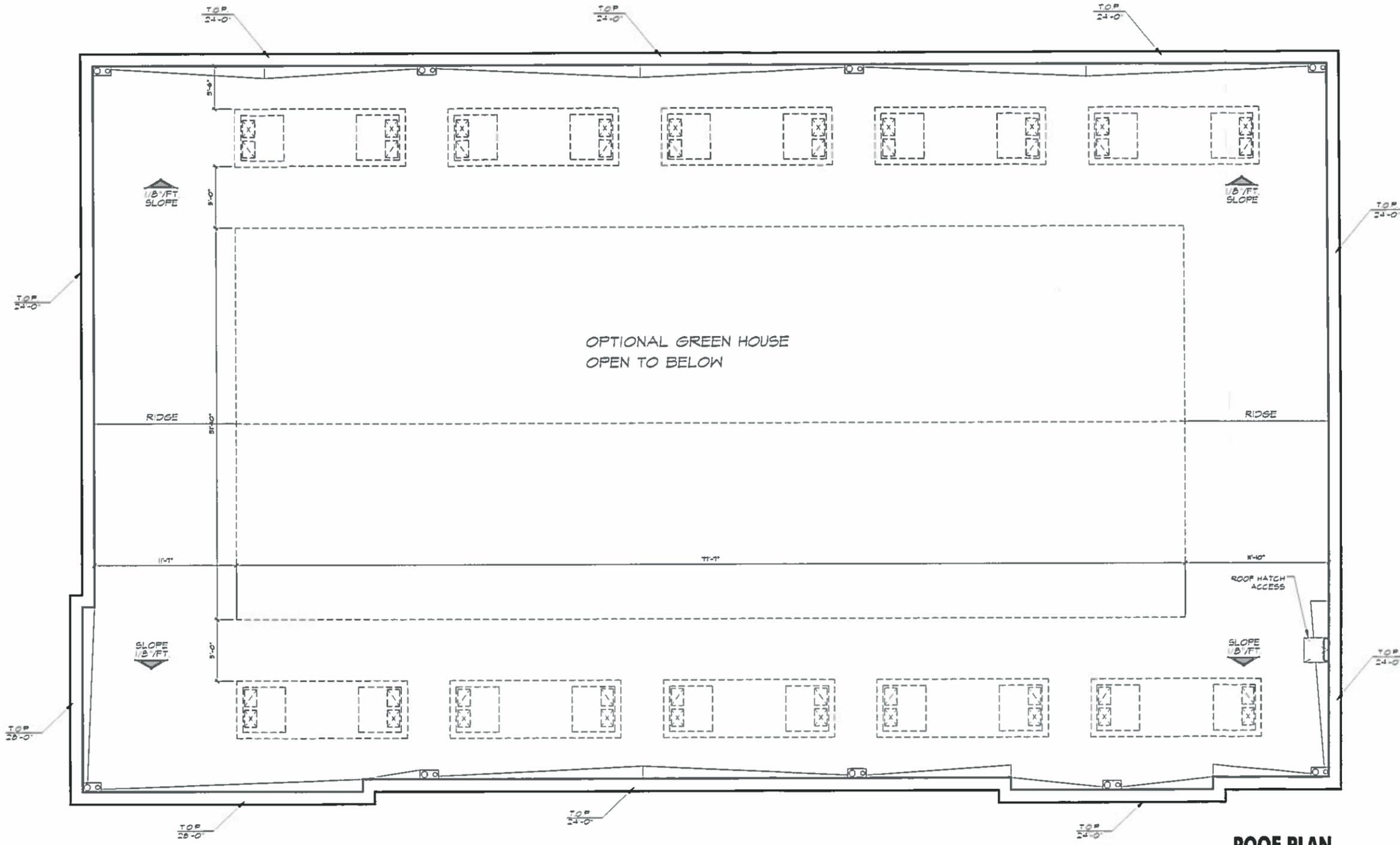
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SITE PLAN
SCALE 1" = 10'-0"

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ROOF PLAN
1/4" = 1'-0"



PARCEL 32 - BUILDING ROOF PLAN



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SHEET TITLE:
**PRELIMINARY
 ROOF
 PLAN**

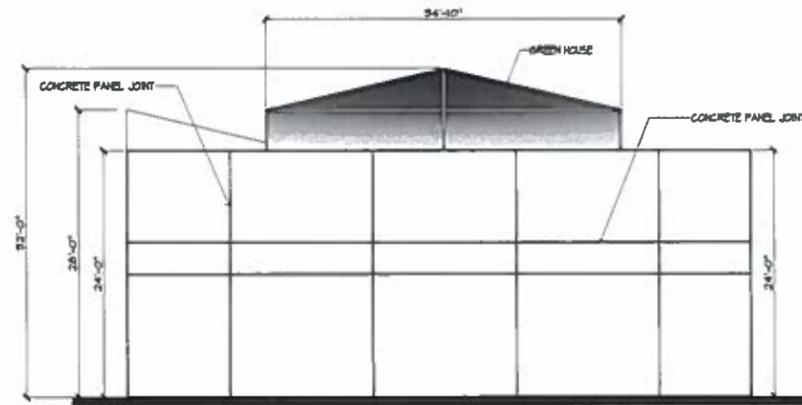
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 SCALE: AS NOTED.
 JOB NO: PS-0103-ZX17

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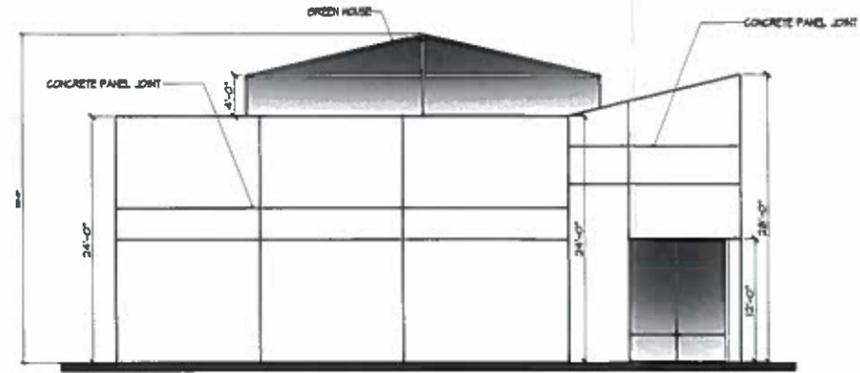
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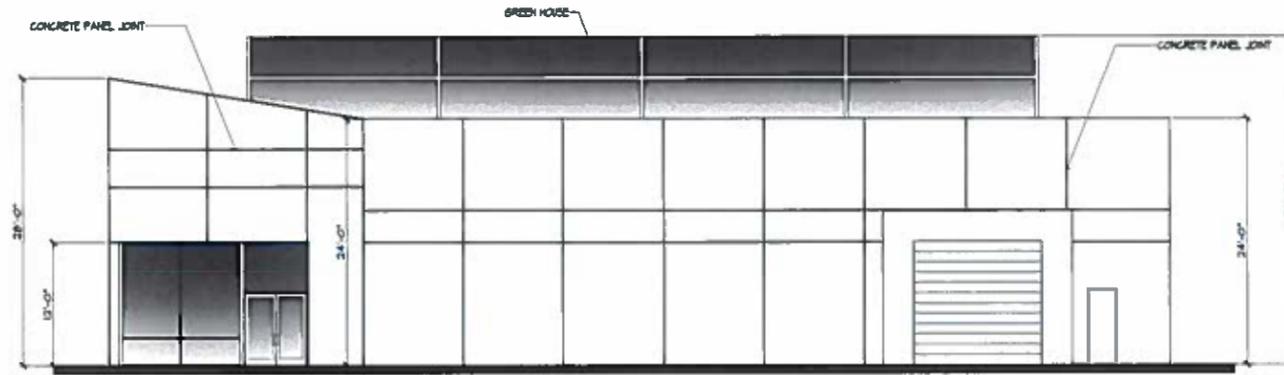
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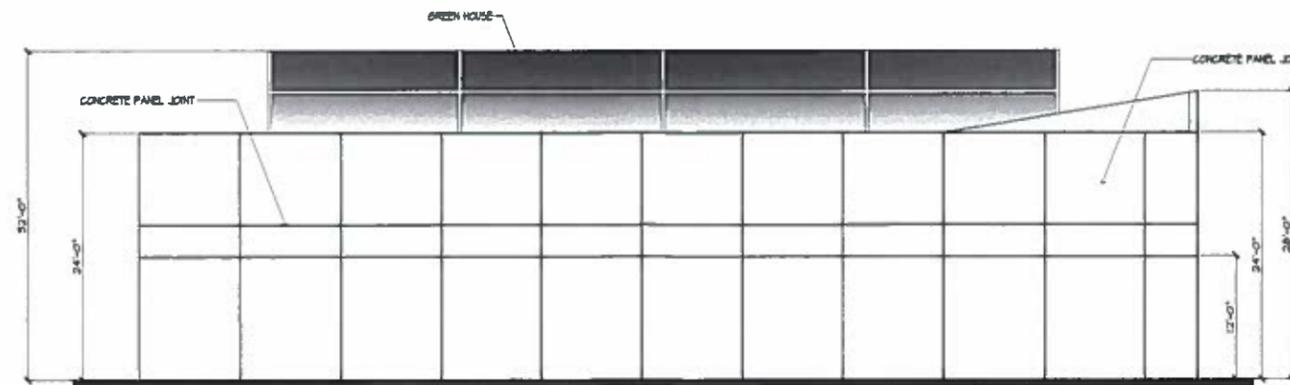
EAST ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



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SHEET TITLE
PRELIMINARY ELEVATIONS

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JOB NO: PS-0109-2X17

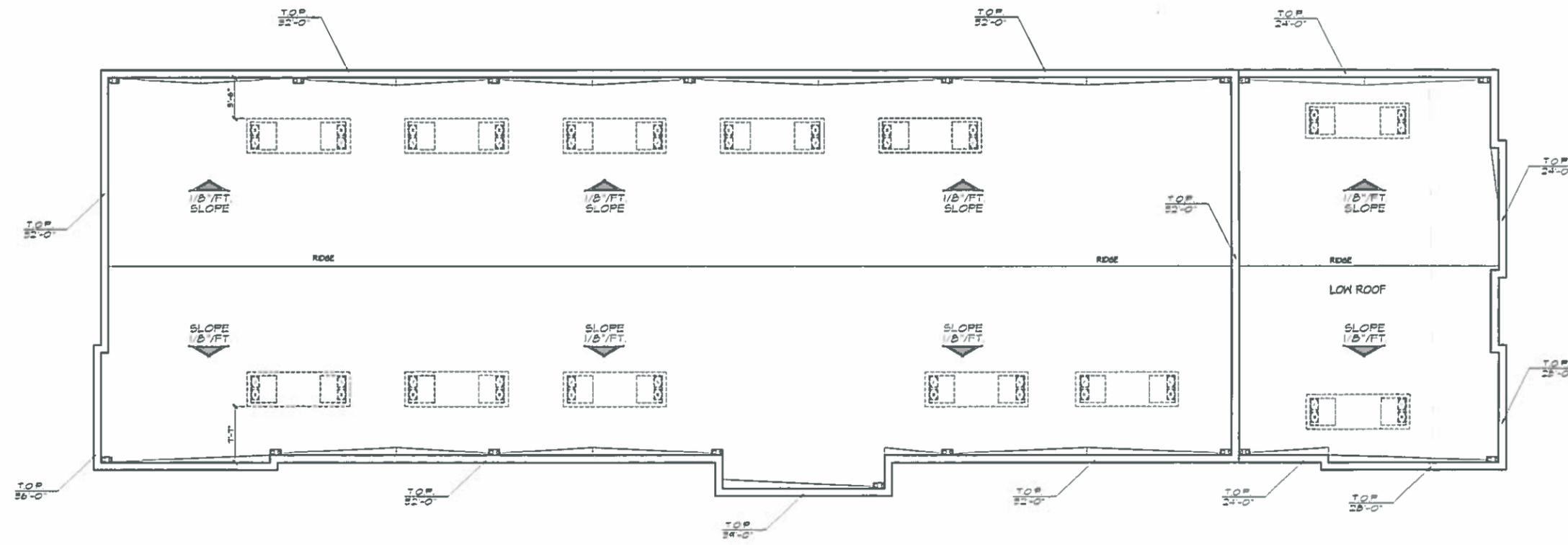
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P8

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PARCEL 32 - BUILDING ELEVATIONS

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ROOF PLAN
1/8" = 1'-0"

PARCEL 33 / 34 - BUILDING ROOF PLAN



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SHEET TITLE:
PRELIMINARY ROOF PLAN

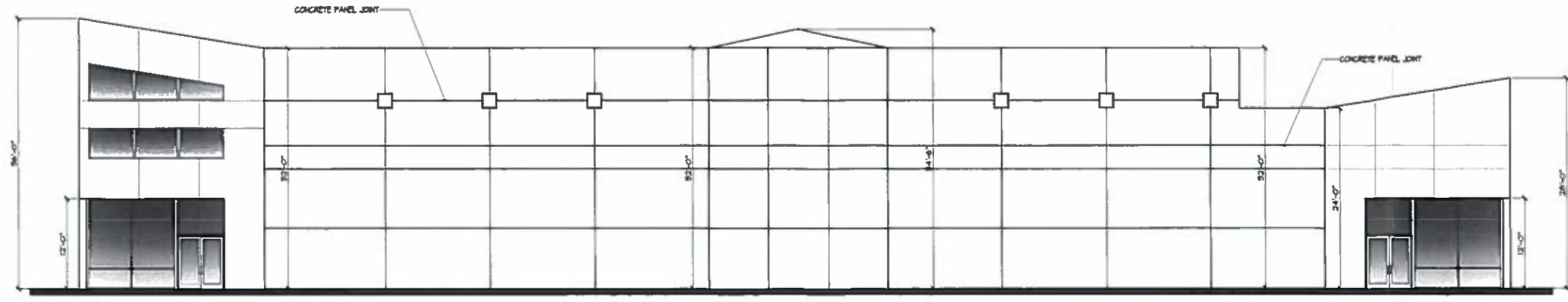
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SHEET

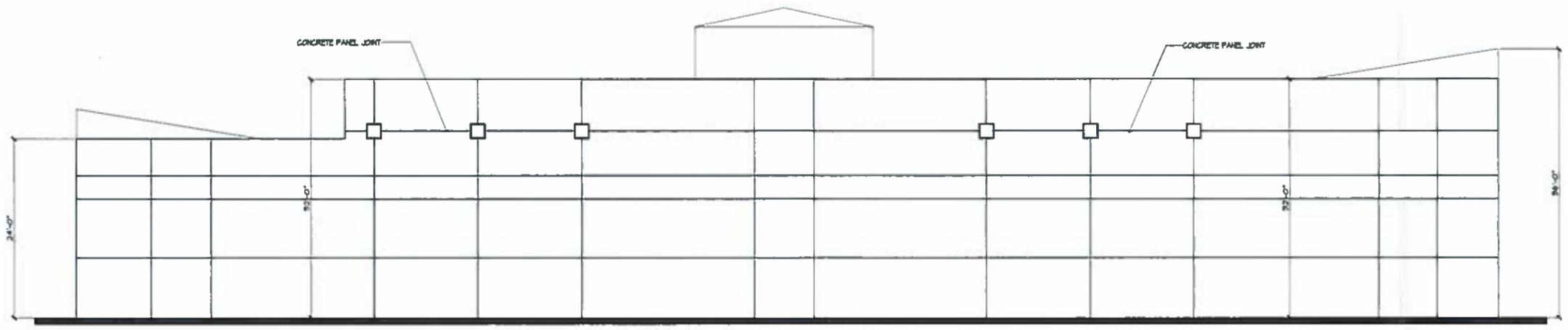
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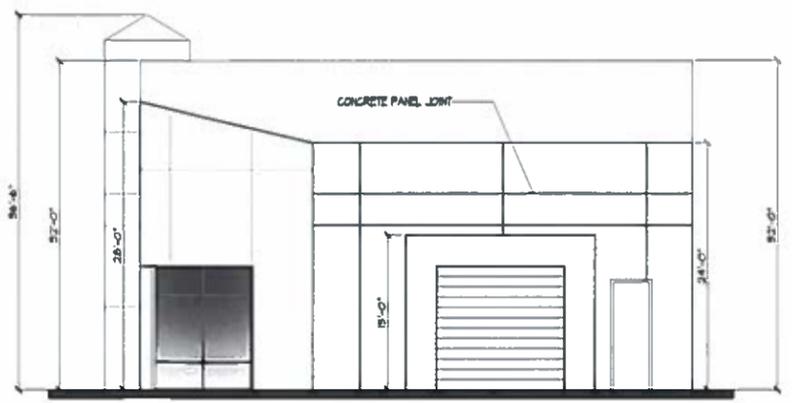
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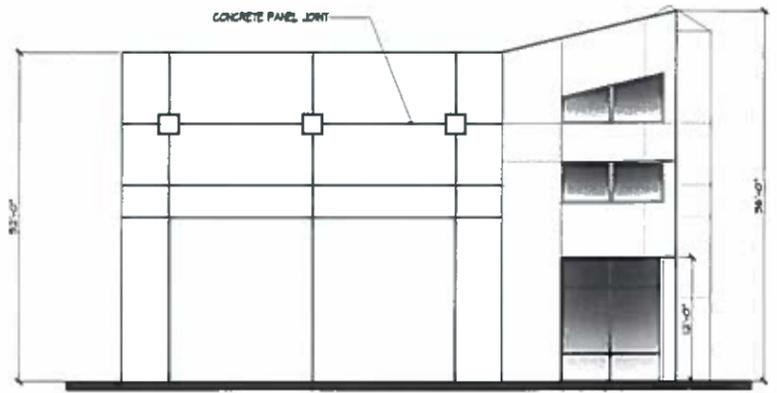
EAST ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"

PARCEL 33 / 34 - BUILDING ELEVATIONS



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SHEET TITLE
PRELIMINARY ELEVATIONS

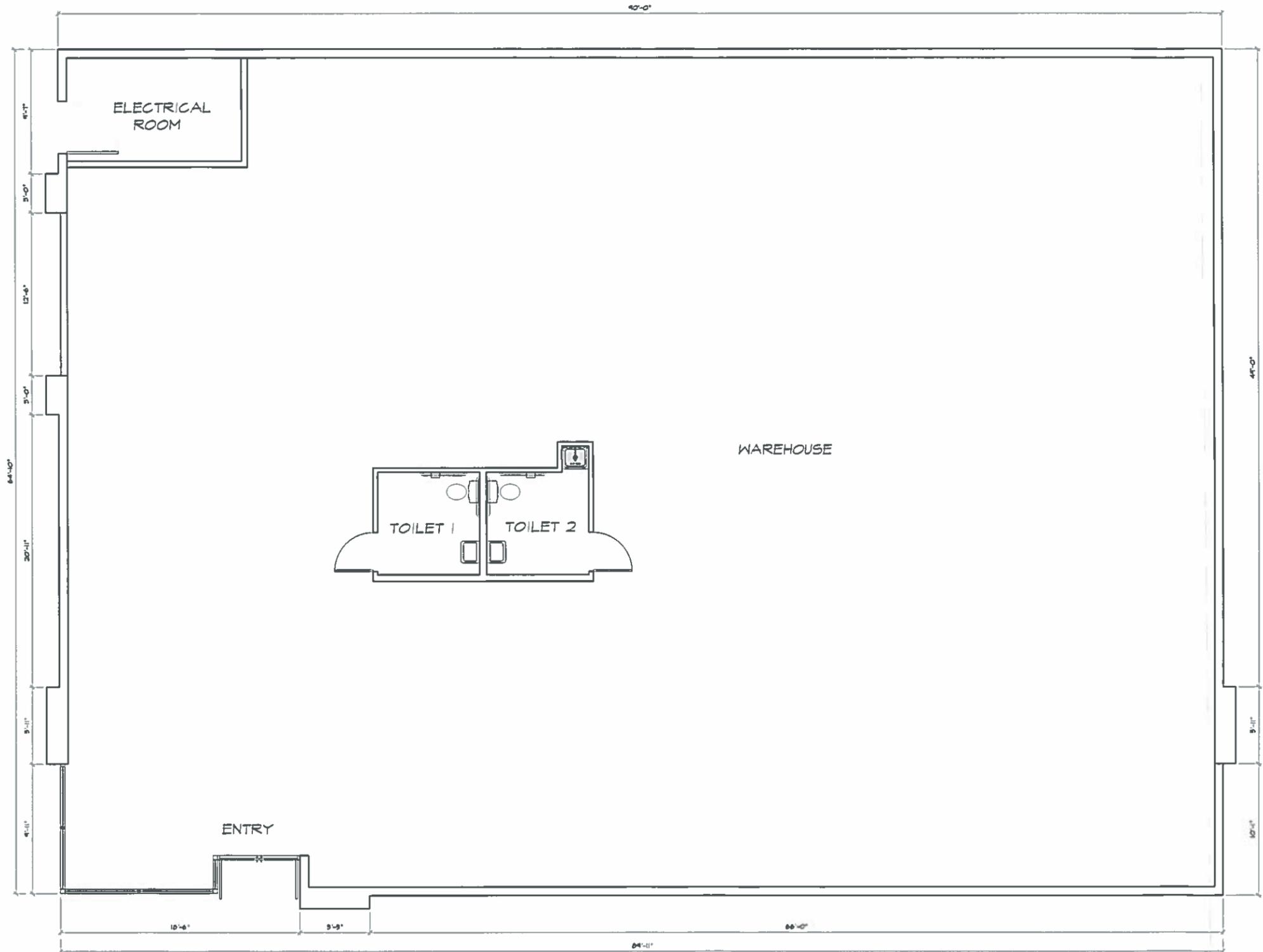
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P11

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FLOOR PLAN
1/4" = 1'-0"



PARCEL 35 - BUILDING FLOOR PLAN



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SHEET TITLE
PRELIMINARY FLOOR PLAN

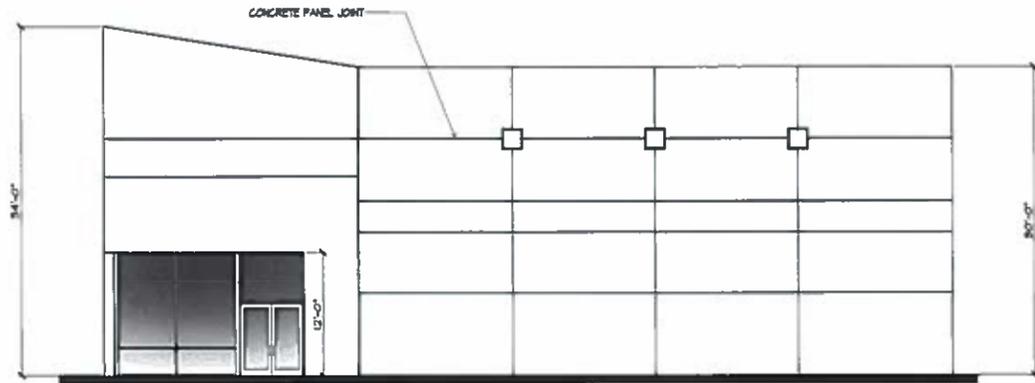
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 JOB NO: PS-0103-ZK(7)

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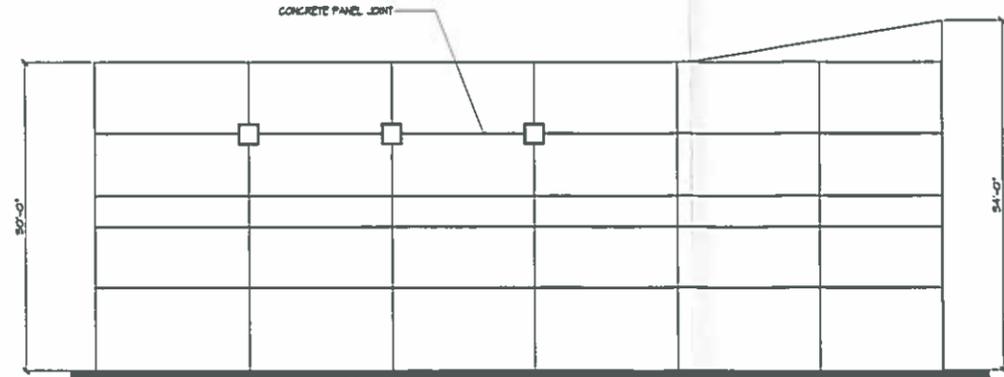
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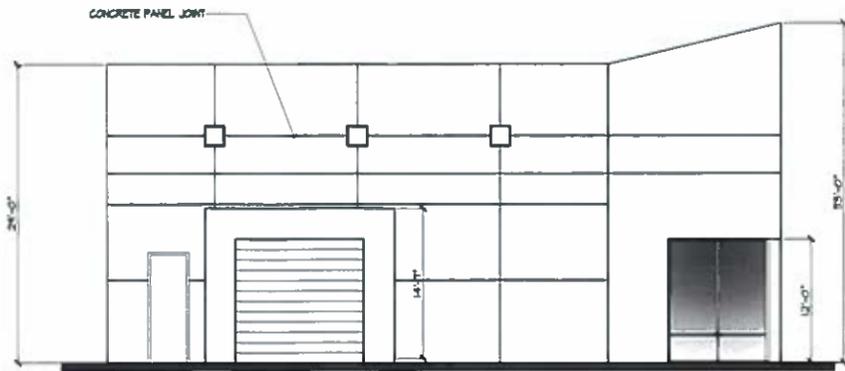
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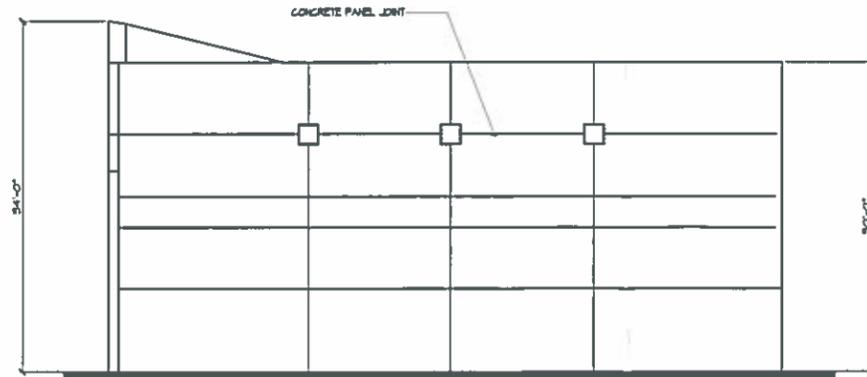
WEST ELEVATION
1/8" = 1'-0"



EAST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



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DRAFTER: GABRIEL LUJAN
 DESIGN: GABRIEL LUJAN
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SHEET TITLE:
**PRELIMINARY
 ELEVATIONS**

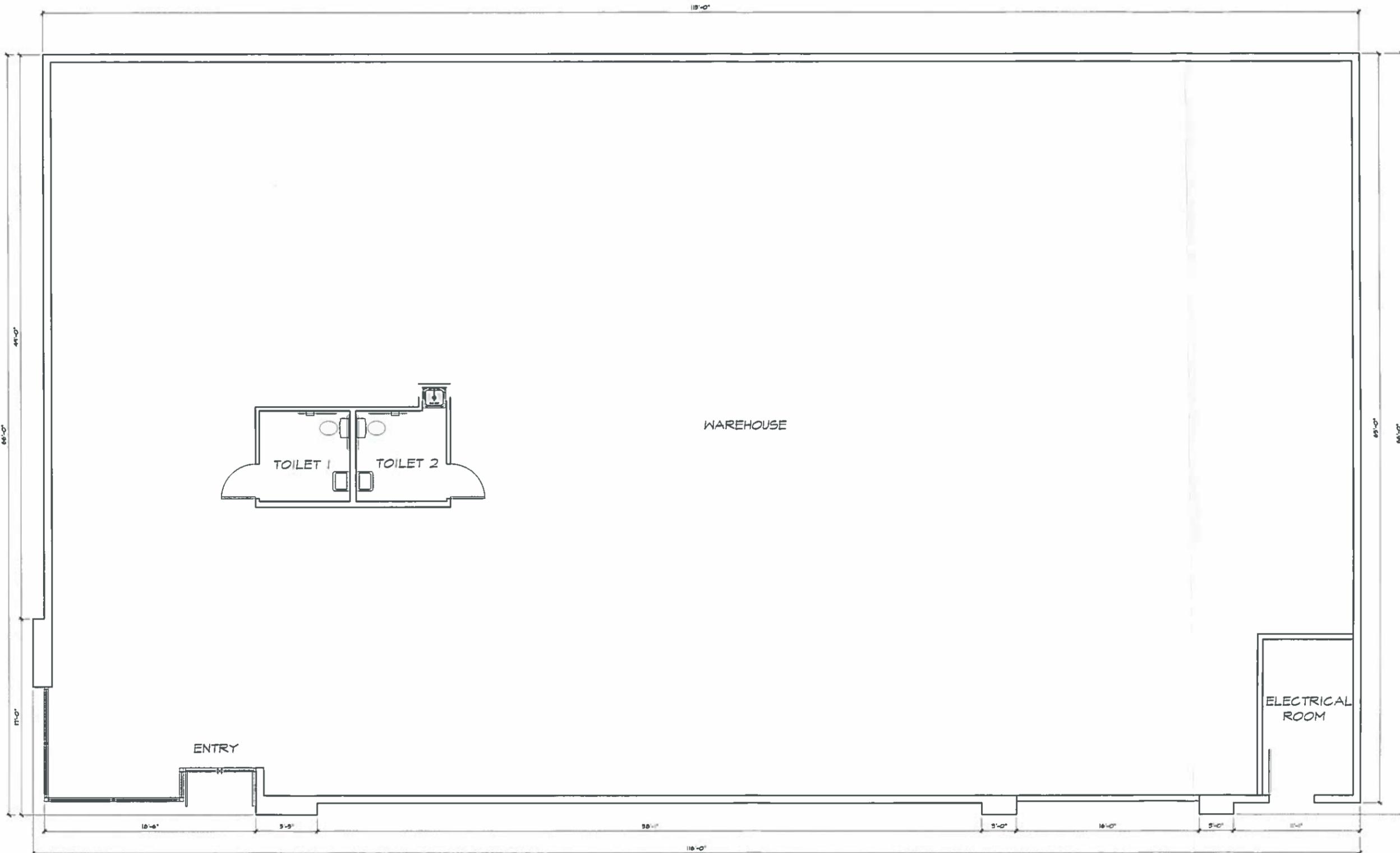
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SHEET
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PARCEL 35 - BUILDING ELEVATIONS

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FLOOR PLAN
1/4" = 1'-0"



PARCEL 36 - BUILDING FLOOR PLAN



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SHEET TITLE:
**PRELIMINARY
FLOOR
PLAN**

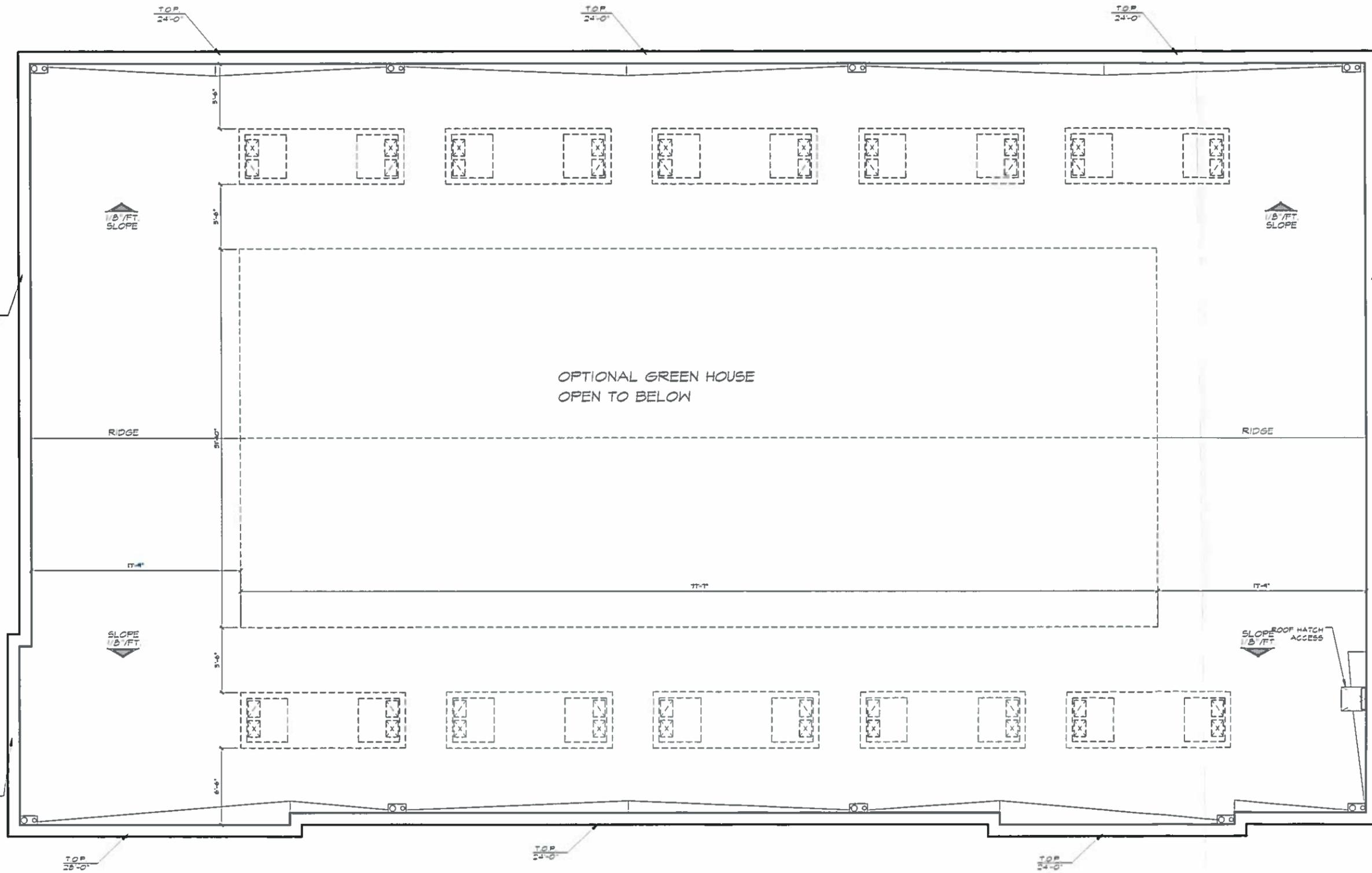
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ROOF PLAN
1/4" = 1'-0"



PARCEL 36 - BUILDING ROOF PLAN



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 PALM SPRINGS, CA.**

REVISIONS BY

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SHEET TITLE

**PRELIMINARY
 ROOF
 PLAN**

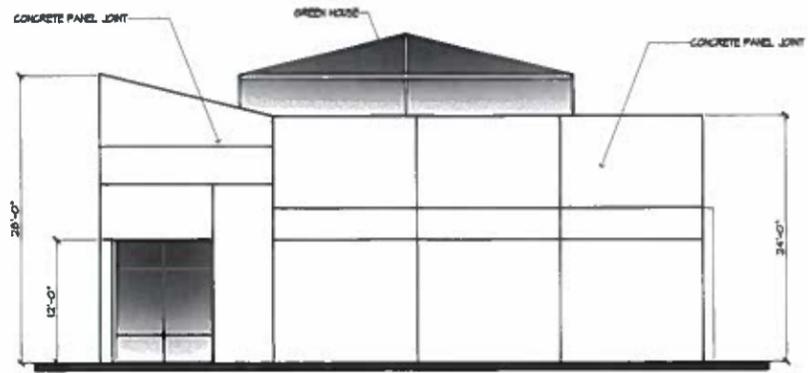
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 DATE: FEBRUARY 2017
 SCALE: AS NOTED
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SHEET

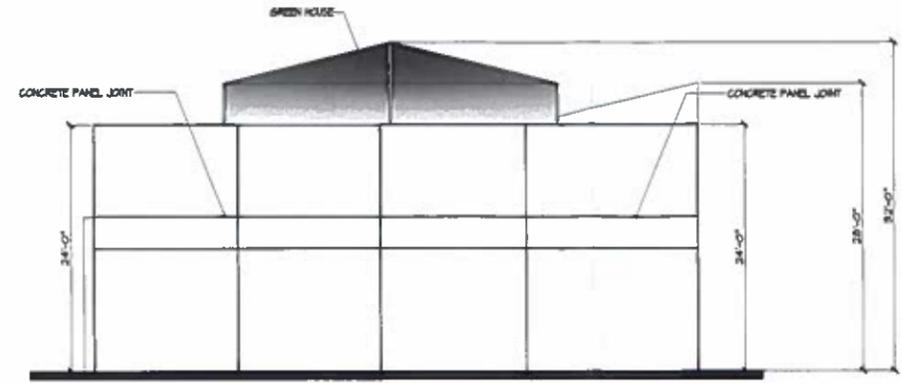
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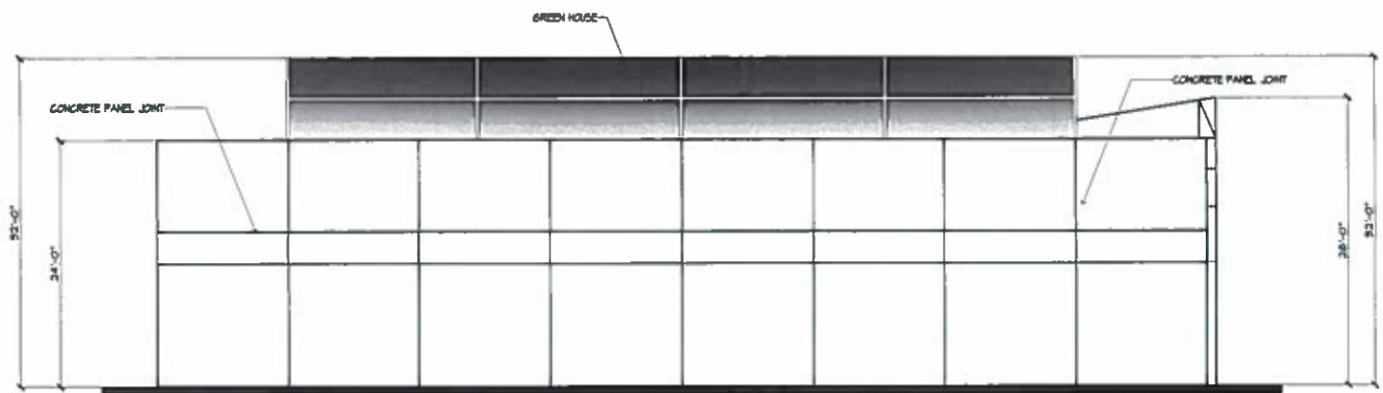
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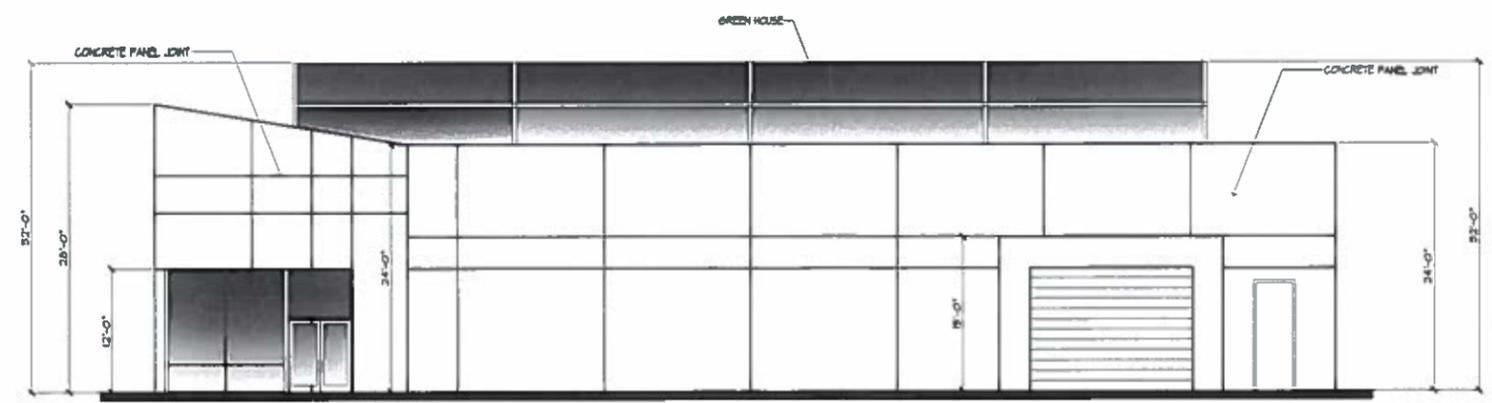
EAST ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"

PARCEL 36 - BUILDING ELEVATIONS



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 PALM SPRINGS, CA.**

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SHEET TITLE

PRELIMINARY ELEVATIONS

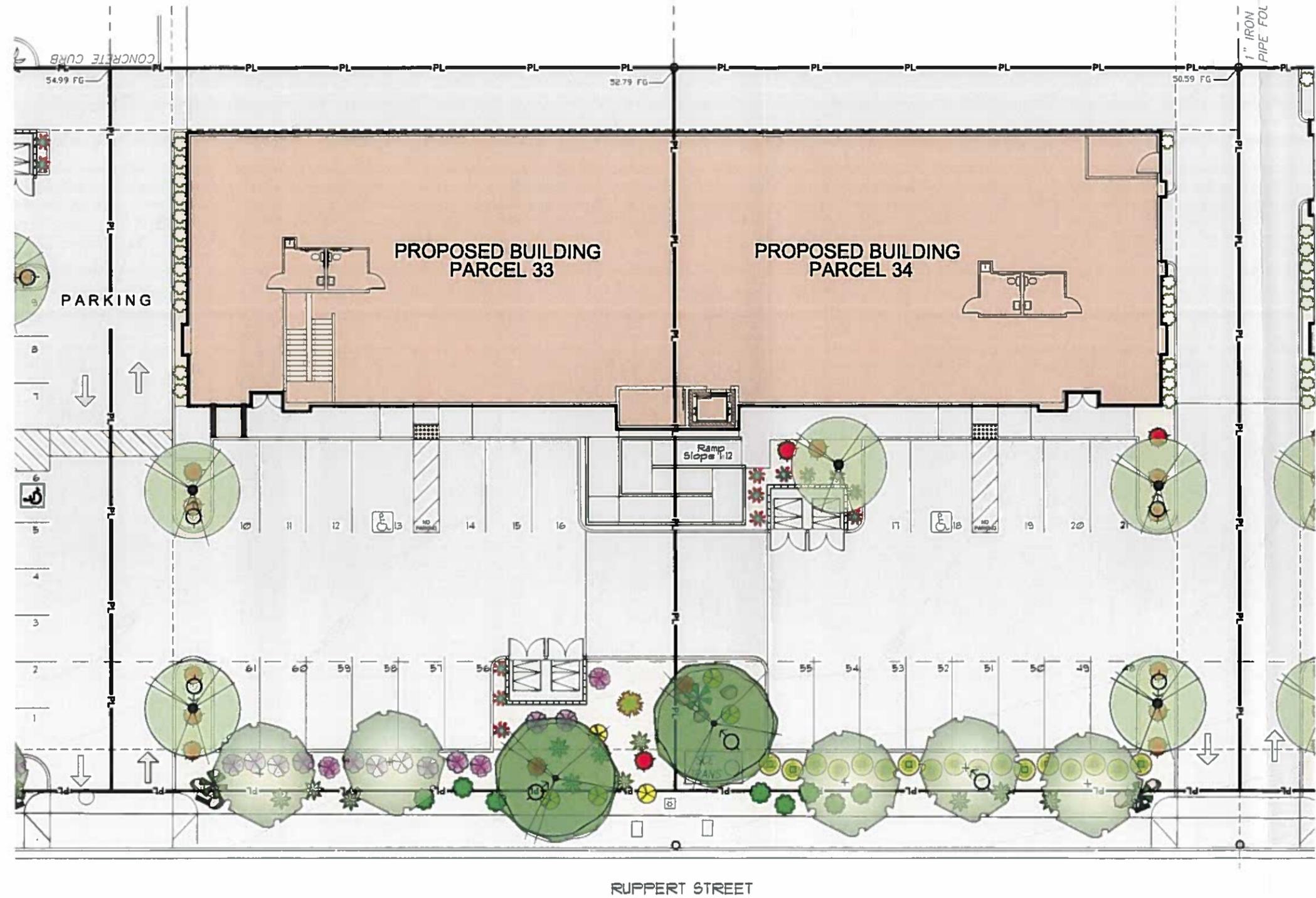
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 DATE: FEBRUARY 2017
 SCALE: AS NOTED
 JOB NO: PS-0109-2X17

SHEET

P17

Printed On: 08/09/17

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PLANTING LEGEND

TREES

| SYM | BOTANIC NAME | COMMON NAME | SIZE |
|-----|-----------------------|---------------------|----------|
| | WASHINGTONIA FILIFERA | CALIFORNIA FAN PALM | 8-12 STH |
| | CERCIDIUM PRAECOX | PALO VERDE | 36" BOX |
| | PROSOPIS PHOENIX | MESQUITE HYBRID | 36" BOX |
| | ACACIA SALICINA | WILLOW ACACIA | 24" BOX |
| | ACACIA ANEURA | MULGA | 24" BOX |

SHRUBS/DESERT ACCENTS

| SYM | BOTANIC NAME | COMMON NAME | SIZE |
|-----|-------------------------|--------------------------|----------------------|
| | AGAVE WESERI | WEBER'S AGAVE | 15 GAL |
| | BACCHARIS X STARN | BACCHARIS | 5 GAL |
| | CAESALPINIA PULCHERRIMA | MEXICAN BIRD OF PARADISE | 5 GAL |
| | GARRISA M TOMLINSON | TOMLINSON NATAL PLUM | |
| | DASTLIRION WHEELERI | DESERT SPOON | 5 GAL |
| | HESPERALOE PARVIFLORA | RED YUCCA | 5 GAL |
| | LANTANA DALLAS RED | DALLAS RED LANTANA | 5 GAL |
| | LANTANA NEW GOLD | NEW GOLD LANTANA | 5 GAL |
| | LEUDOPHYLLUM LAEVIGATUM | CHIHUAHUAN SAGE | 5 GAL |
| | FOUQUERIA SPLENDENS | OCOTILLO | 6' HT. 5 CANE MN. |
| | SENNA NEMOPHILA | DESERT CASSIA | 5 GAL |

ROCK MATERIAL

| SYM | NAME | SIZE |
|-----|------------------------|---------|
| | MOJAVE GOLD ROCK | 3/8" |
| | SIERRA COBBLE | 8"-12" |
| | INDIAN CANYON BOULDERS | 2.5-3.5 |

LIGHTING LEGEND

| SYMBOL | FIXTURE | COMMENTS |
|--------|--|--|
| | MODEL DL-43-LED1115-BRS ELECTRICAL: 12V 11 W LAMP: LED | PALM TREE UPLIGHT FRESH DRT FOCUS LIGHTING DL-43 |
| | MODEL DL-15-MRIGLBOBS ELECTRICAL: 12V 7W LAMP: LED | TREE UPLIGHTS FRESH DRT FOCUS LIGHTING DL-15 |
| | MODEL DL-15-SMLEDPR412V-BRS ELECTRICAL: 12V 4W LAMP: LED | ACCENT LIGHT FRESH DRT FOCUS LIGHTING DL-15 |
| | MODEL HP SERIES TRANSFORMER ELECTRICAL: 1200W | |



PRELIMINARY LANDSCAPE PLAN
SCALE 1"=10'



GABRIEL LUJAN & ASSOCIATES

GABRIEL LUJAN
& ASSOCIATES
 IRRIGATION • DESIGN • LAND IT ANDING
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 CELL: (760) 378-4451 FAX: (760) 674-1108
 EMAIL: gll@gabriel-lujan.com

**AN INDUSTRIAL COMPLEX FOR:
PALM SPRINGS NORTHERN LIGHTS
PALM SPRINGS, CA.**

REVISIONS BY

CONSULTANT:
IRO
 IRO LANDSCAPE CONSULTING
 AND DESIGN
 EMAIL: INFO@IROOUTDOOR.COM
 FAX: 760.337.4319

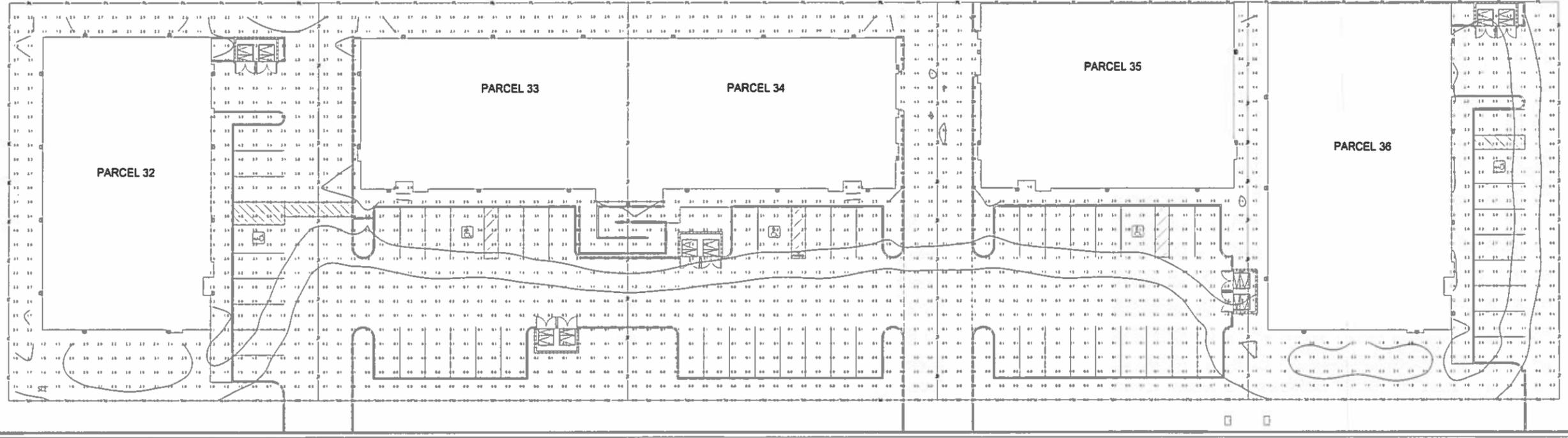
SHEET TITLE:

**PRELIMINARY LANDSCAPE PLAN
PARCEL 33 & 34**

DRAWN: IRO
 CHECKED: IRO
 DATE: AUGUST 2, 2017
 SHEET AS NOTED
 208700
 426

SHEET

L-3



RUPPERT STREET

**PHOTOMETRIC
SITE PLAN**

**AN INDUSTRIAL COMPLEX FOR:
PALM SPRINGS NORTHERN LIGHTS
RUPPERT STREET
PALM SPRINGS, CA. 92262**

LUMINAIRE SCHEDULE

| FIXTURE | QUANTITY | SYMBOL | MOUNTING | MODEL | DESCRIPTION | VOLTS | LUMENS / LAMP |
|-----------------|----------|--------|----------|---|---|------------|---------------|
| LED - Wall Pack | 45 | D | WALL | Lithonia Lighting, ASW1 LED 42C 350 30K SR3 MVOLT | ASW1 WALL LIGHT 42 LED@ 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 3 DISTRIBUTION | 120V 1P 2W | 7114 |

06/22/2017
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FOR BLDG DEPT REVIEW

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SITE PLAN**

DATE 06/21/17
APPROVED DESERT CITIES DESIGN
DRAWN BY DAVE BORDER
PROJECT NO PS-17-10
SCALE AS STATED
SHEET NO

EP1

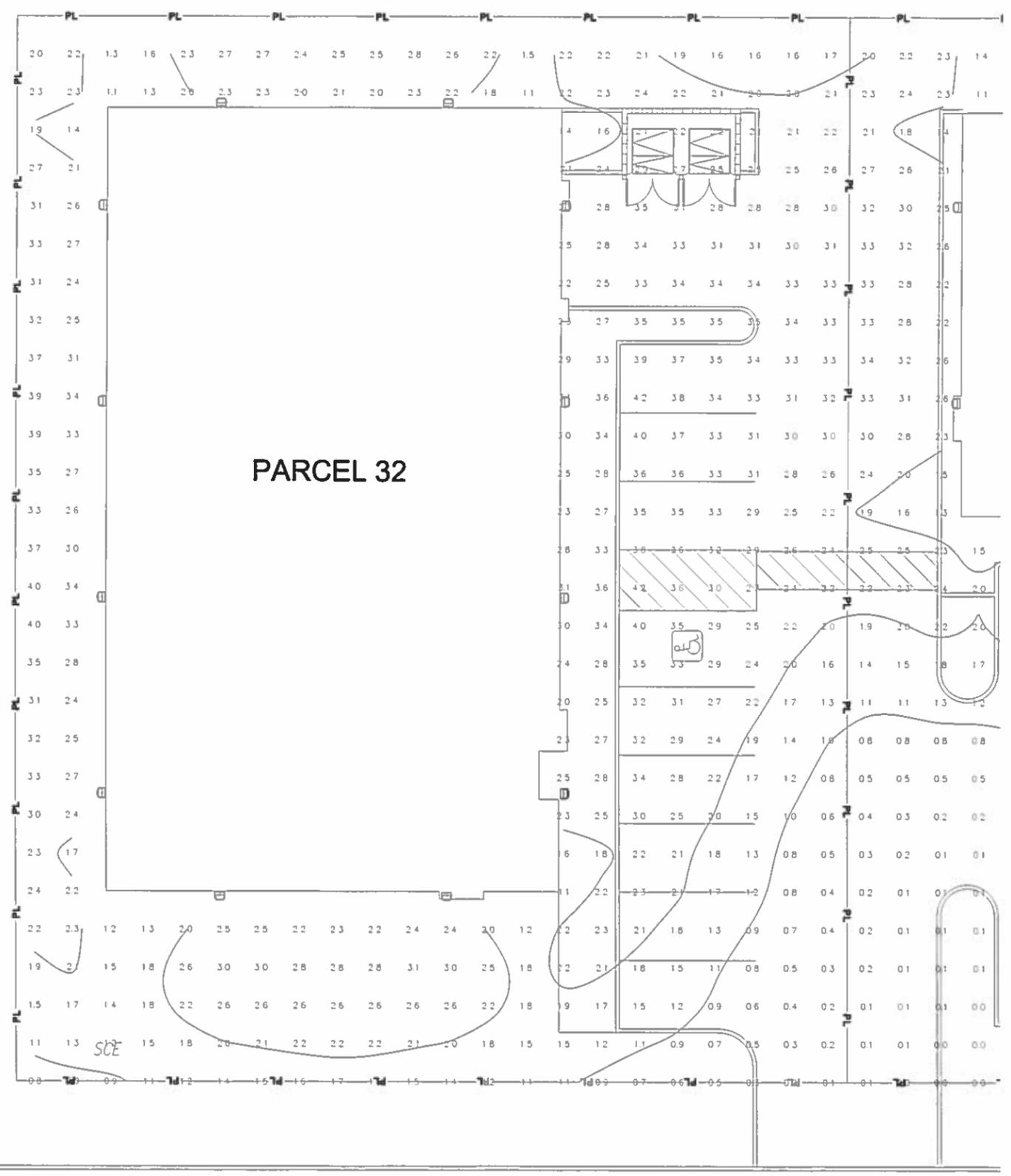
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 DRAWN BY: DAVE BORDER
 PROJECT NO: PS-17-10
 SCALE: AS STATED
 SHEET NO.

EP2

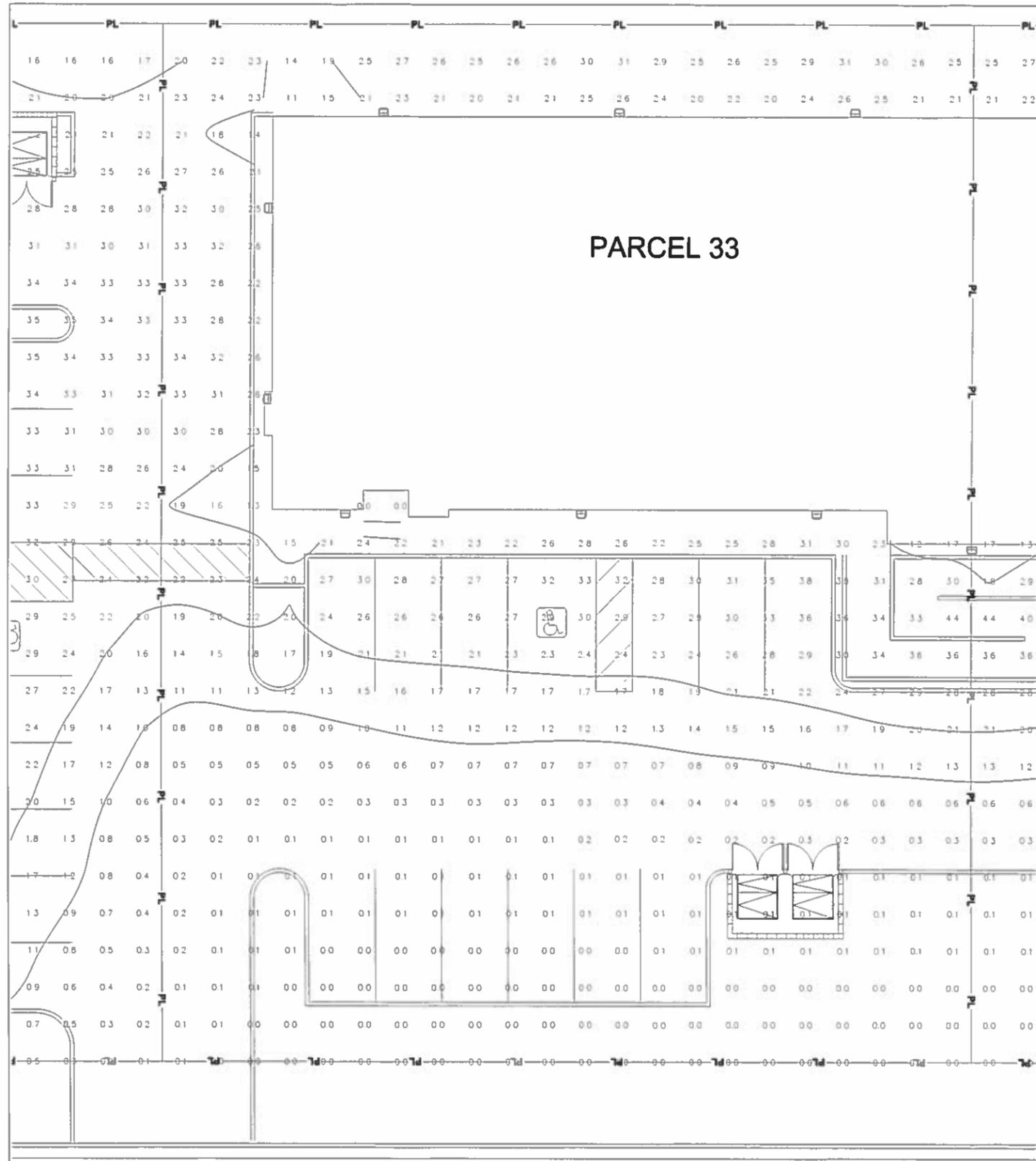


**PHOTOMETRIC
 "PARCEL 32"**
 SCALE: 1/8" = 1'-0"

LUMINAIRE SCHEDULE

| FIXTURE | QUANTITY | SYMBOL | MOUNTING | MODEL | DESCRIPTION | VOLTS | LUMENS / LAMP |
|-----------------|----------|--------|----------|---|---|------------|---------------|
| LED - Wall Pack | 45 | D | WALL | Lithonia Lighting, ASW1 LED 42C 350 30K SR3 MVOLT | ASW1 WALL LIGHT 42 LED@ 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 3 DISTRIBUTION | 120V 1P 2W | 7114 |

RUPPERT STREET



PARCEL 33

PHOTOMETRIC
"PARCEL 33"
SCALE: 1/8" = 1'-0"

RUPPERT STREET

LUMINAIRE SCHEDULE

| FIXTURE | QUANTITY | SYMBOL | MOUNTING | MODEL | DESCRIPTION | VOLTS | LUMENS / LAMP |
|-----------------|----------|--------|----------|---|---|------------|---------------|
| LED - Wall Pack | 45 | D | WALL | Lithonia Lighting, ASW1 LED 42C 350 30K SR3 MVOLT | ASW1 WALL LIGHT 42 LED ϕ 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 3 DISTRIBUTION | 120V 1P 2W | 7114 |

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ELECTRICAL DESIGN

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desertcitiesdesign@hotmail.com

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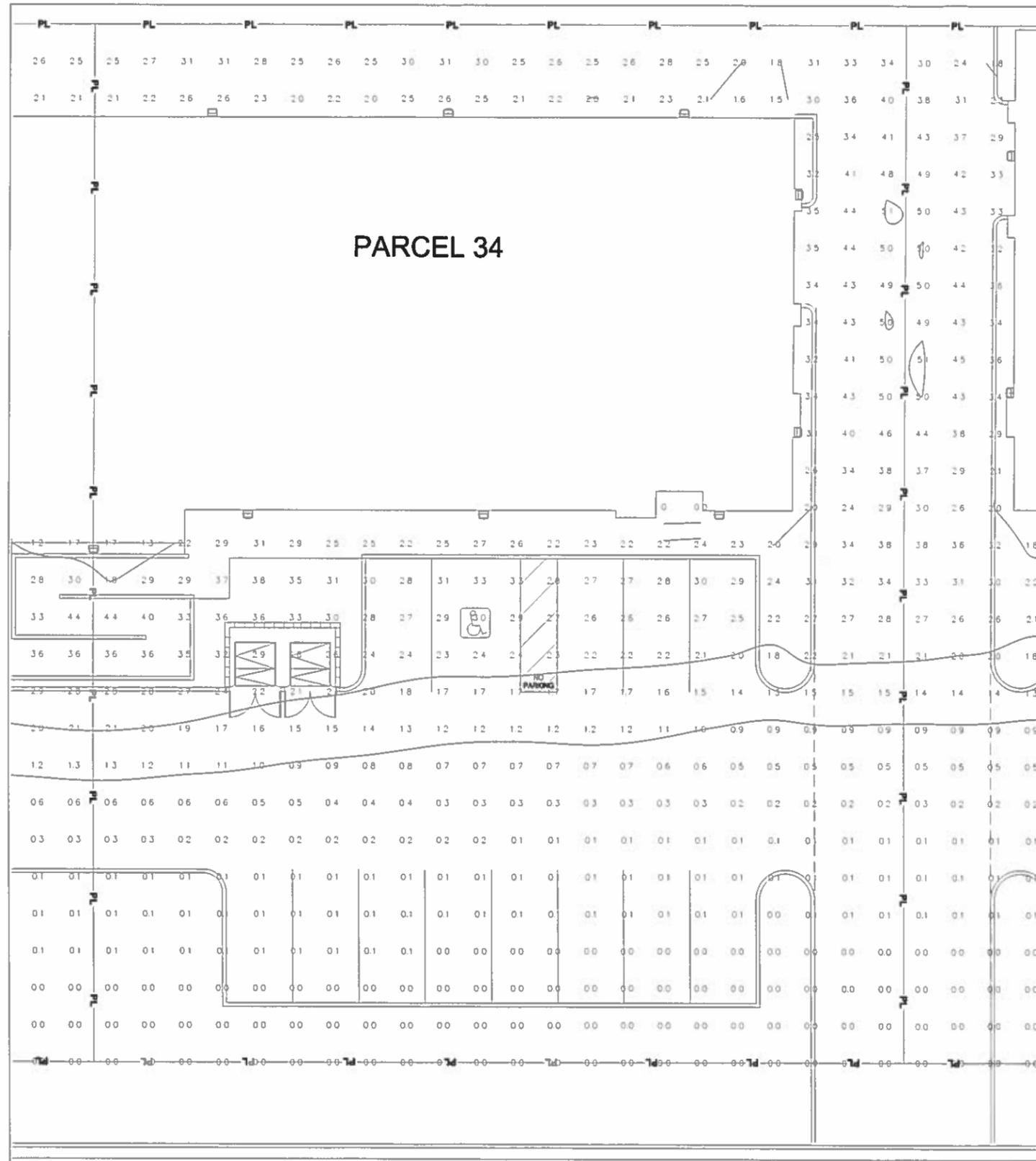
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PROJECT NO: PS-17-10
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SHEET NO

EP3



PARCEL 34

**PHOTOMETRIC
"PARCEL 34"**
SCALE: 1/8" = 1'-0"

RUPPERT STREET

| LUMINAIRE SCHEDULE | | | | | | | |
|--------------------|----------|--------|----------|--|---|------------|---------------|
| FIXTURE | QUANTITY | SYMBOL | MOUNTING | MODEL | DESCRIPTION | VOLTS | LUMENS / LAMP |
| LED - Wall Pack | 45 | D | WALL | Lithonia Lighting ASW1 LED 42C 350 30K SP3 MVOLT | ASW1 WALL LIGHT 42 LED@ 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 3 DISTRIBUTION | 120V 1P 2W | 7114 |

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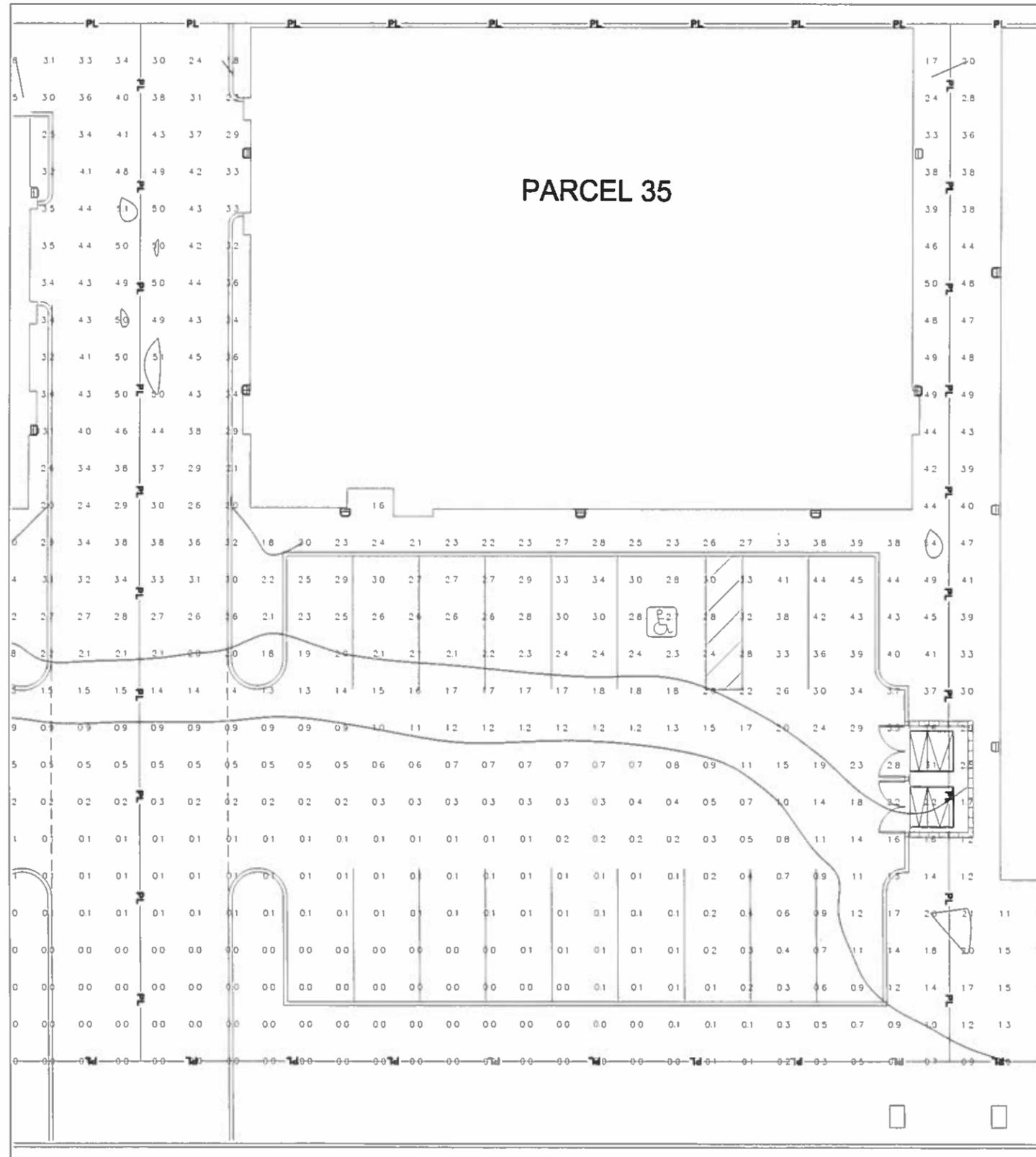
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SHEET NO

EP4



**PHOTOMETRIC
"PARCEL 35"**
SCALE: 1/8" = 1'-0"

RUPPERT STREET

| LUMINAIRE SCHEDULE | | | | | | | |
|--------------------|----------|--------|----------|---|---|------------|---------------|
| FIXTURE | QUANTITY | SYMBOL | MOUNTING | MODEL | DESCRIPTION | VOLTS | LUMENS / LAMP |
| LED - Wall Pack | 45 | D | WALL | Lithonia Lighting, A5W1 LED 42C 350 30K SR3 MVOLT | A5W1 WALL LIGHT 42 LED@ 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 3 DISTRIBUTION | 120V 1P 2W | 7114 |

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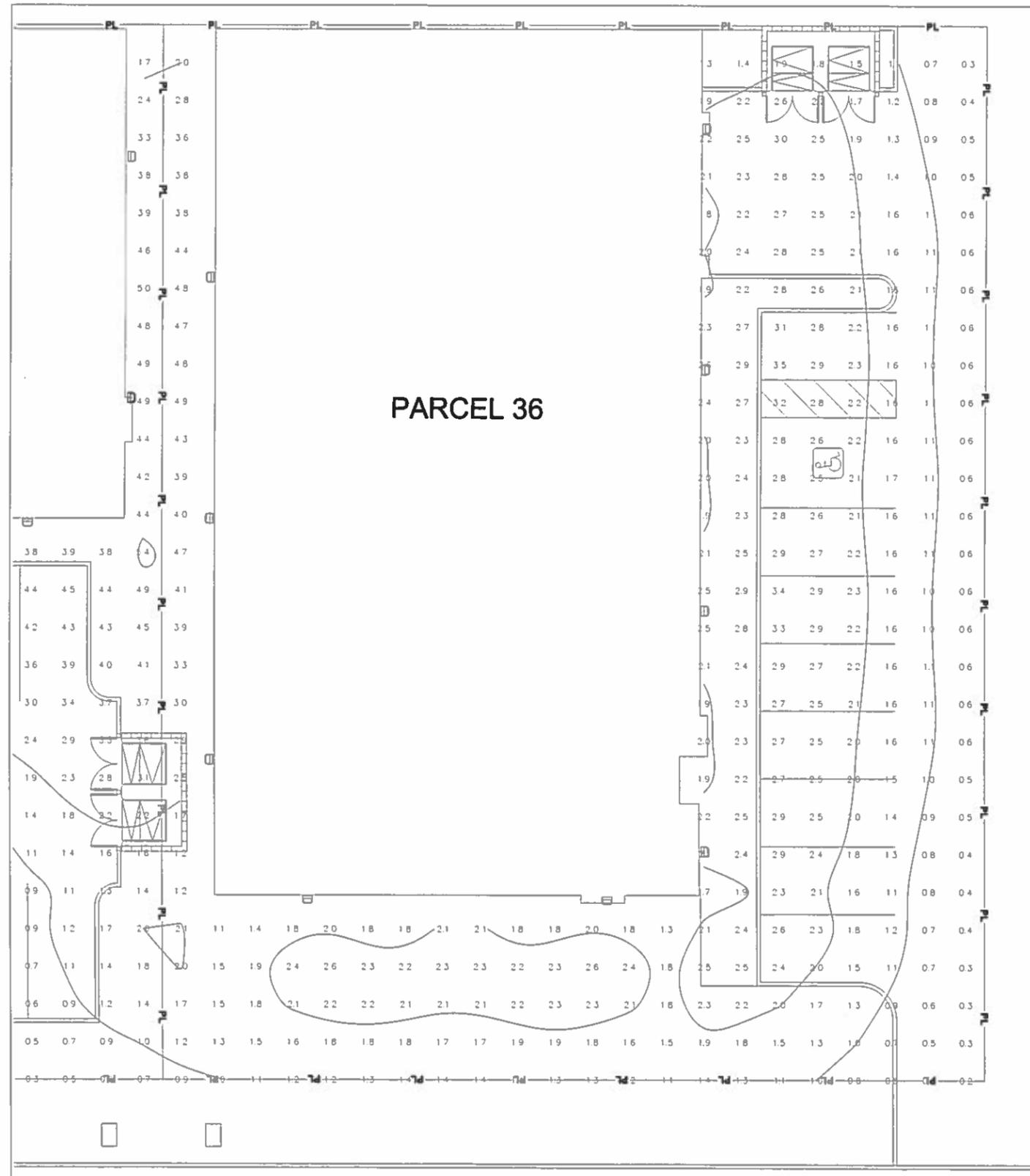
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| PROJECT NO. | PS-17-10 |
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| SHEET NO. | |

EP5



PARCEL 36

**PHOTOMETRIC
"PARCEL 36"**
SCALE: 1/8" = 1'-0"

RUPPERT STREET

| LUMINAIRE SCHEDULE | | | | | | | |
|--------------------|----------|--------|----------|---|---|------------|---------------|
| PIXTURE | QUANTITY | SYMBOL | MOUNTING | MODEL | DESCRIPTION | VOLTS | LUMENS / LAMP |
| LED - Wall Pack | 45 | D | WALL | Lithonia Lighting, ASW1 LED 42C 350 30K SR3 MVOLT | ASW1 WALL LIGHT 42 LED@ 350 mA DRIVE CURRENT 30K COLOR TEMP TYPE 3 DISTRIBUTION | 120V 1P 2W | 7114 |

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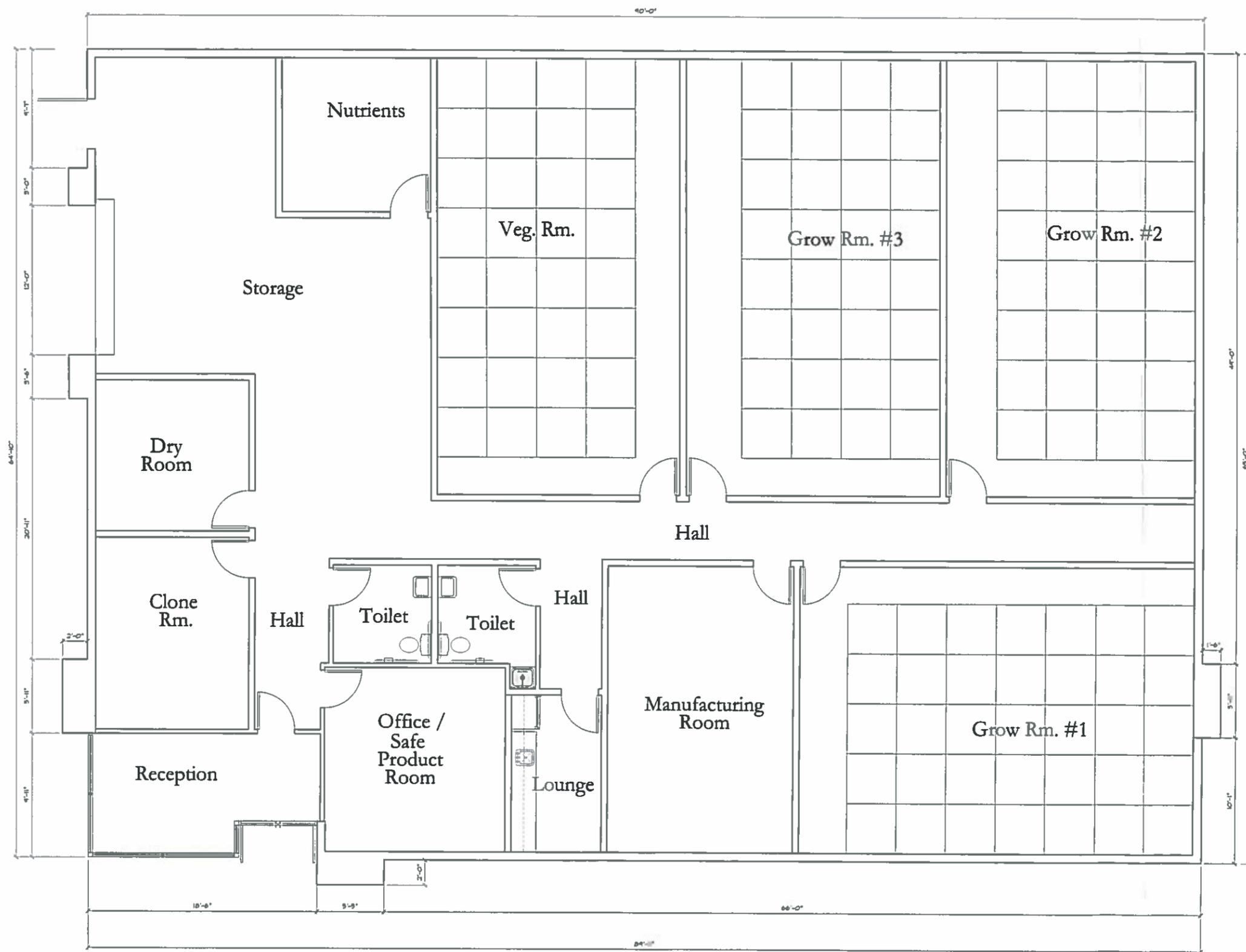
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PLAN**

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PROJECT NO: PS-17-10
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FLOOR PLAN
1/4" = 1'-0"



PARCEL 35 - BUILDING FLOOR PLAN



GABRIEL LUJAN & ASSOCIATES
 ARCHITECTURE • DESIGN • LAND PLANNING
 DRAFTING • GABRIEL LUJAN
 PRINCIPAL DESIGNER
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 PALM DESERT, CA 92211

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PALM SPRINGS, CA.

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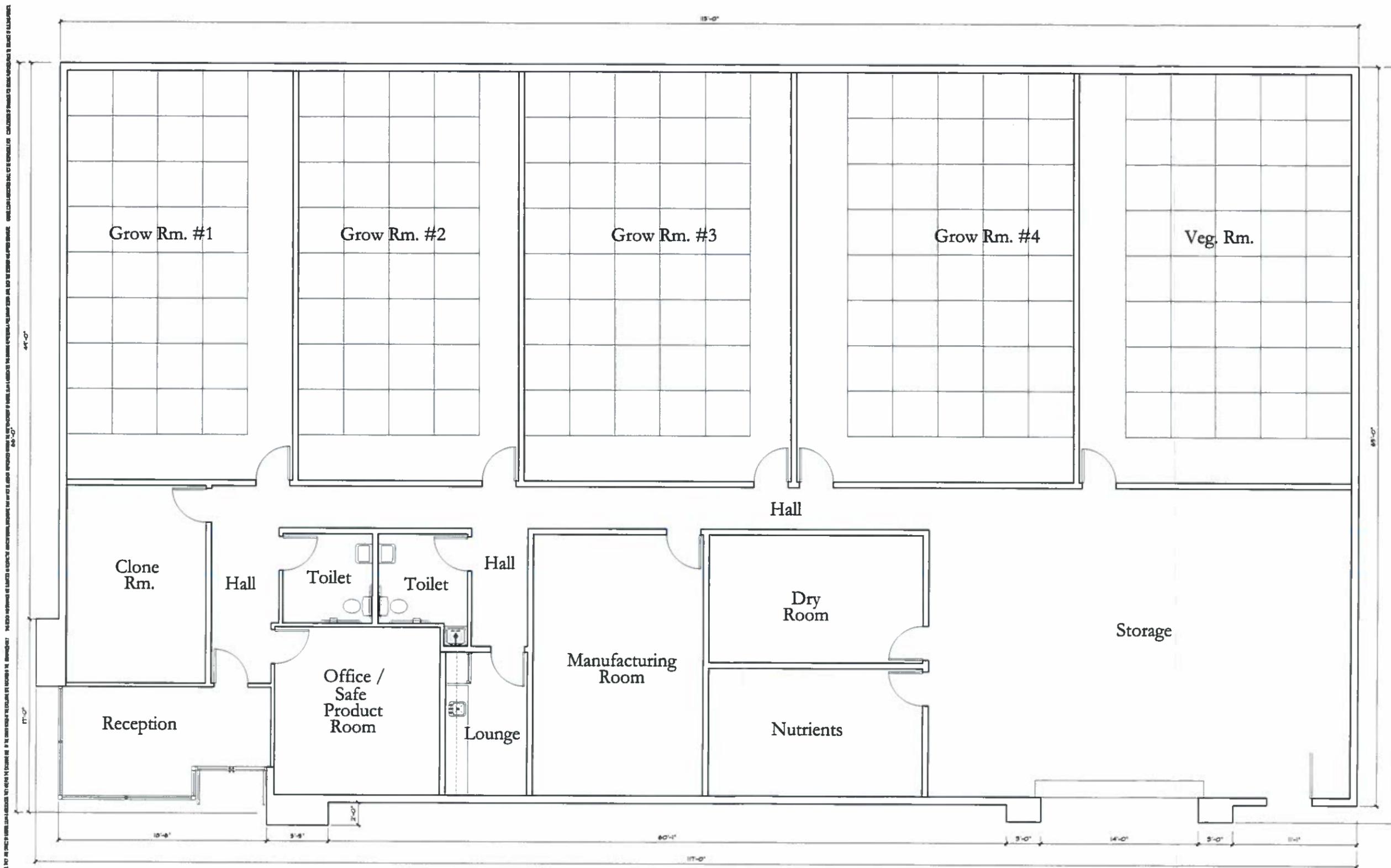
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PRELIMINARY FLOOR PLAN CULTIVATION

DRAWN: E.L.A.
 CHECKED: E.L.A.
 DATE: FEBRUARY 2017
 SCALE: AS NOTED
 JOB NO: PS-0103-2K17

SHEET

PC3

Printed On: 10/19/17



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PALM SPRINGS, CA.

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SHEET TITLE:
PRELIMINARY FLOOR PLAN CULTIVATION

DRAWN: GJA
 CHECKED: GJA
 DATE: FEBRUARY 2017
 SCALE: AS NOTED
 JOB NO: PS-03-2017

SHEET
PC4

FLOOR PLAN
 1/4" = 1'-0"

 NORTH

PARCEL 36 - BUILDING FLOOR PLAN

EXITOSO, LLC. has planned, designed and now will build and operate an all organic, earth friendly energy efficient cannabis cultivation and manufacturing business, offering superior standards in both medical and adult use products.

Our primary mission and overall goal is to provide safe affordable products to all medical patients and adult use customers while contributing significant tax dollars to the city of Palm Springs. It is our belief that those tax dollar will provide increased and permanent funding for many essential city services enhancing the life of the residents of our great city.

All products produced or manufactured will be of medicinal grade regardless of whether the end use is medical or adult use. There will be only one standard at Exitoso - the best possible products.

Cultivation will be our primary activity with multi-varietals strains for specific recommended uses. Use of many separate grow rooms will prevent undesirable cross pollination or spreading of any insects, mold or fungi. Energy will be consumed efficiently with the use of state of the art high efficiency modern lights.

Manufacturing of cannabis extracts is proposed using two primary methods. The simplest and most hazard free method is by pressing the grown product using a hydraulic press with no solvents at all. The second method will involve carbon dioxide (CO₂) used as a solvent. While this process will be completely self contained closed loop, it is important to note that there is NO hazard of explosion or flammability as CO₂ is essential inert, unlike organic solvents used in some processes.

Other than leaf products, we will be selling extracts either raw, or in external use products such as creams of lotions. We will not be manufacturing edibles at this time.

It is the intent of Exitoso to use renewable energy wherever feasible. This includes wind (the wind farms are walking distance from our location) and solar to the extent that roof space will allow. Finally, recent advances in natural gas co-generation plants, like the one utilized at the Palm Springs City Hall and Airport, make it practical and ideal for smaller scale operations like ours.

It is our intent to operate premises that are free of chemicals and commercial pesticides. We will not use poisons for rodent or pest control.

Hand trimming of leaf product will minimize the volume of organic waste. All organic waste such as stems and leaf residue from extraction will be recycled by unique composting machinery such as the BioReactor described below.

IN-VESSEL COMPOSTING: THE BIOREACTOR - The XACT BioReactors are large scale in-vessel composters that convert huge volumes of solid organic waste into compost in as little as 3 to 7 days. The XACT BioReactor is available in 5' to 10' diameters and in lengths from 10' to 60'. Although it is a simple design, it is built to heavy-duty standards in order to withstand the rigors of turning tons and tons of material every 6 minutes 24 hours per day, 365 days per year. For example, a 10' x 60' long BioReactor is turning 75 tons of waste up to 240 times per day!

After being processed by our in house Composting Recycling System we will hold waste for three days for inspection and disposition in conformance with state regulations.

Recycling Compliancy includes:

- a) Hemp/Cannabis waste recycling: GAIACA laboratory certified waste recyclers.
- b) Using proprietary waste processing procedures, Gaiaca is an industry leader in responsible, compliant, and environmentally conscience cannabis waste revitalization. Once removed from the site, Gaiaca will characterize the waste and process it accordingly. Instead of ending up in one of our exponentially growing landfills, the waste will be revitalized – imbued with new life and vitality.

and/or utilize incineration with a local licensed bonded waste disposal company.

Wastewater will be grey water containing only natural 100% organic nutrients that are biodegradable, and in some instances, partially decomposed natural organic pesticides, which are also biodegradable

It is our intent to process all grey water through a reverse osmosis filtration system into potable water. We will then recycle that potable water to the grow rooms creating a closed loop. In essence, we will seek zero water discharge, other than domestic sanitation.

Security System Plans & Commercial Surveillance System



EXITOS, LLC / Northern Lights Commercial Development

Located in the
North Palm Springs Business Park
Palm Springs, California

October 24, 2017

Exitoso, LLC - Cannabis Related Permit Application

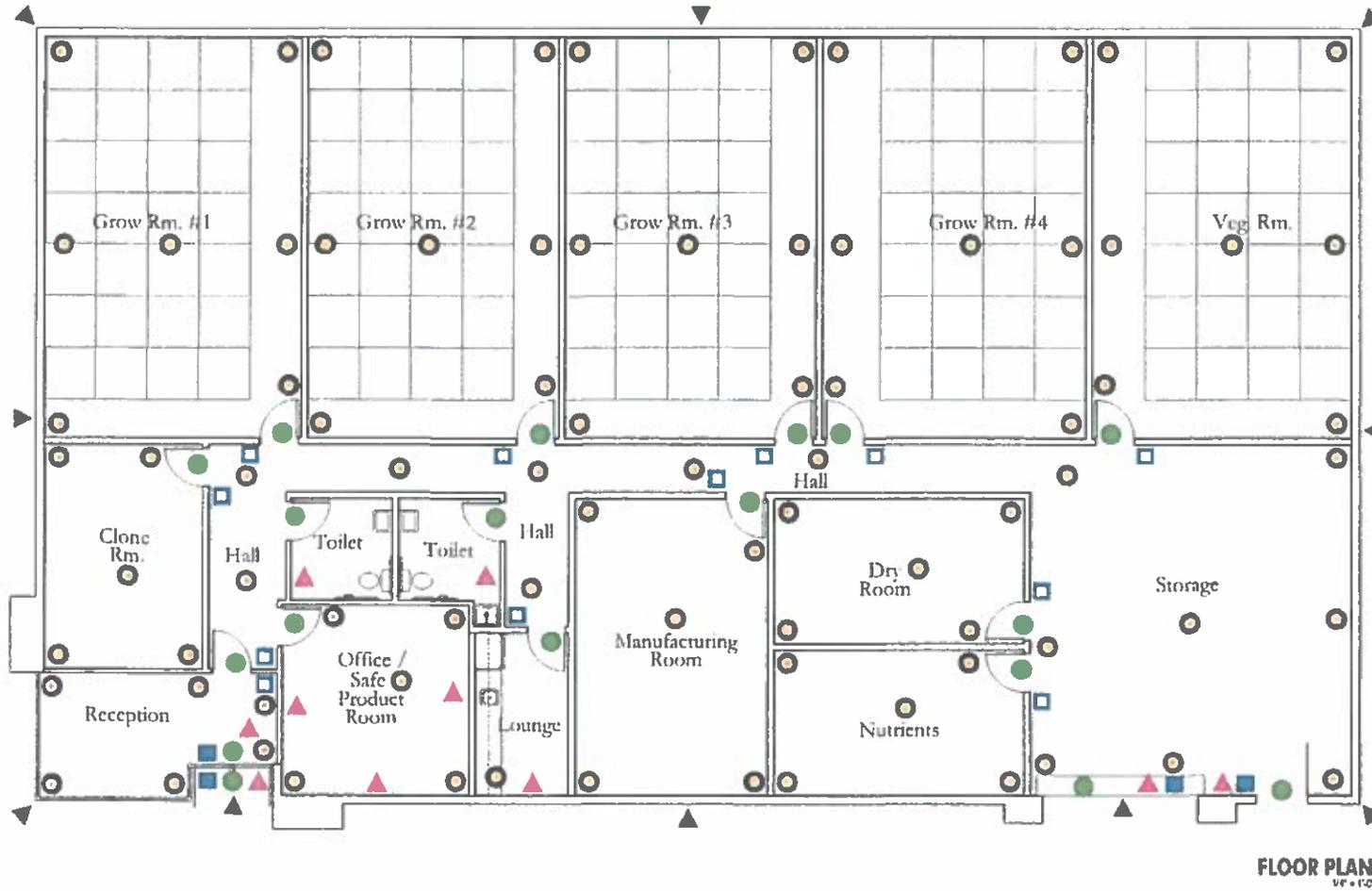
Page 3 of 4 - Item # 42

Attachment # 7

Legend & Device Count for Security System Plan - Building # 1 (Parcel # 32)

| |  |  |  |  |  |  |  |  |
|--------------|---|---|--|---|---|---|---|---|
| BLDG 1 | Ext. Cam | Int. Mot. Cam | Emp. Key | Alarm Key | Ext. Motion | Door Sensor | Panic | Glass Break |
| Entry/Recep. | 0 | 6 | 1 | 2 | 0 | 3 | 2 | 2 |
| Halls | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ofc/Safe Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 3 | 0 |
| Clone Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Toilets | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Lounge | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 |
| Manuf. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Dry Room | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Nutrients | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Storage | 0 | 8 | 0 | 2 | 0 | 2 | 2 | 0 |
| Grow Rm. 1 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 2 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 3 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 4 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Veg. Room | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Bldg. Ext. | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Roof | 4 | 0 | 0 | 0 | 4 | 0 | 0 | 4 |
| Count | 14 | 82 | 12 | 4 | 4 | 18 | 10 | 6 |

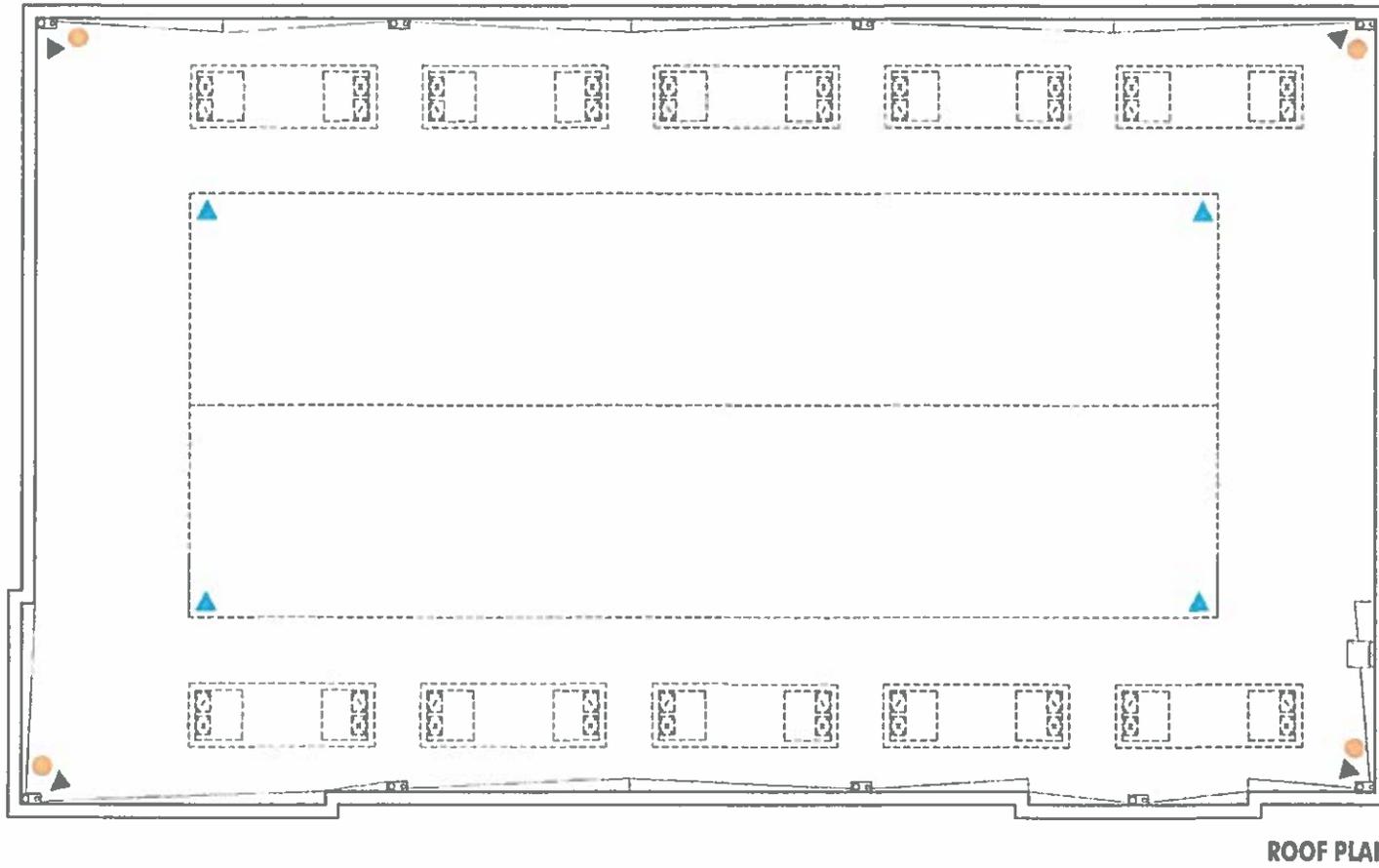
Exitoso, LLC - Cannabis Related Permit Application
 Item # 42 - Attachment # 7
 Security System Plan - Building # 1 (Parcel # 32)



| LEGEND | | ▲ N |
|--------|--------------------------|-----|
| ◀ | Exterior Camera | |
| ○ | Interior Camera w/Motion | |
| □ | Employee Keypad | |
| ■ | Alarm Keypad | |
| ● | Door Contact Sensor | |
| ○ | Motion Sensor | |
| ▲ | Panic Alarm Button | |
| ▼ | Glass Break Detector | |

FLOOR PLAN
 VE • 10

Exitoso, LLC - Cannabis Related Permit Application
Item # 42 - Attachment # 7
Security System Plan - Building # 1 (Parcel # 32)



| LEGEND | |
|--------|--------------------------|
| ▲ | N |
| ▲ | Exterior Camera |
| ● | Interior Camera w/Motion |
| □ | Employee Keypad |
| ■ | Alarm Keypad |
| ● | Door Contact Sensor |
| ● | Motion Sensor |
| ▲ | Panic Alarm Button |
| ▲ | Glass Break Detector |

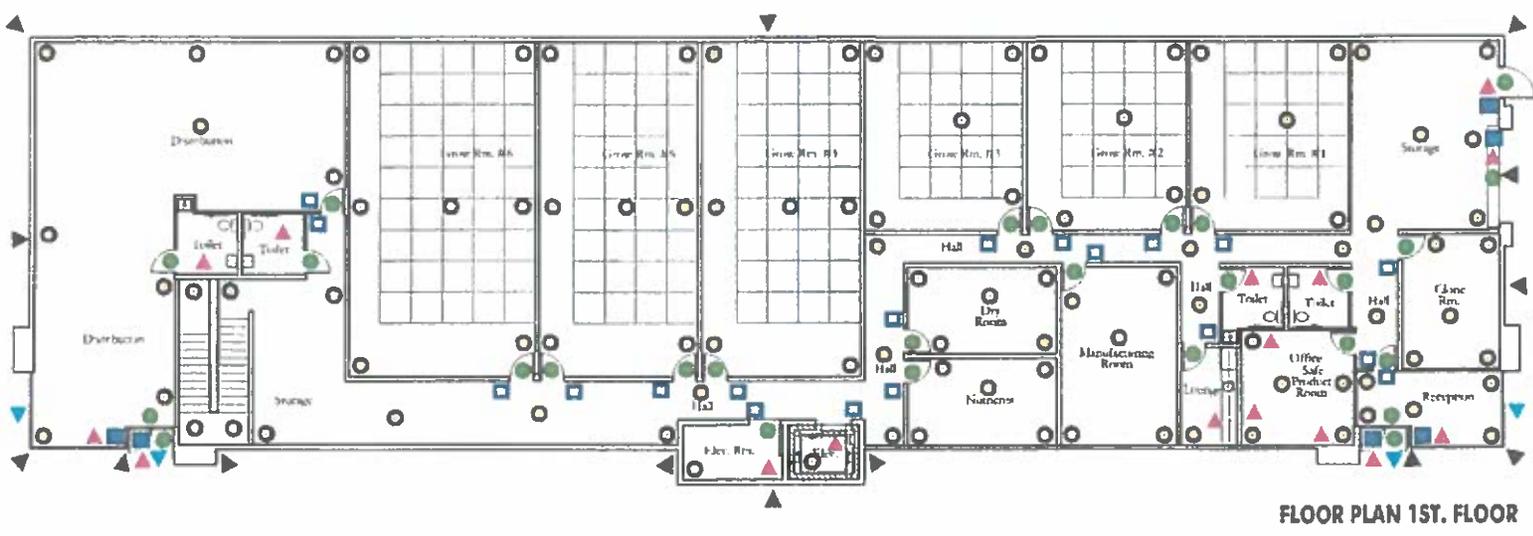
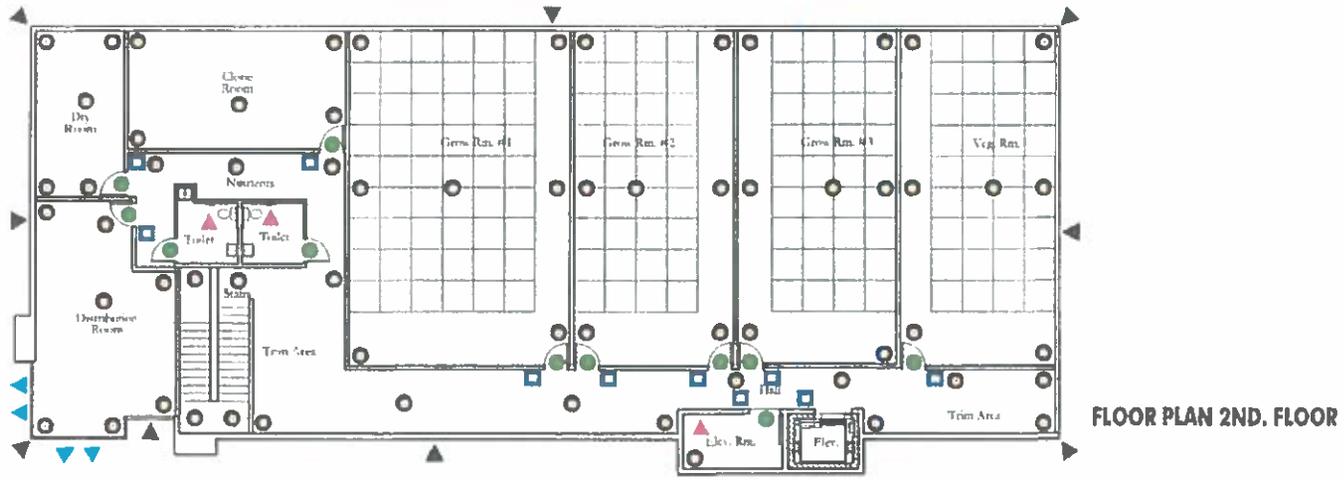
Legend & Device Count for Security System Plan - Building # 2 (Parcels # 33/34) 1st Floor

| |  |  |  |  |  |  |  |  |
|---------------|---|---|--|---|---|---|---|---|
| BLDG 2 | Ext. Cam | Int. Mot. Cam | Emp. Key | Alarm Key | Ext. Motion | Door Sensor | Panic | Glass Break |
| Entry/Recep. | 0 | 5 | 1 | 2 | 0 | 3 | 2 | 2 |
| Halls/Storage | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ofc./Safe Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 3 | 0 |
| Clone Rm | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Toilets | 0 | 0 | 0 | 0 | 0 | 4 | 4 | 0 |
| Storage Area | 0 | 6 | 0 | 2 | 0 | 2 | 2 | 0 |
| Manuf. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Lounge | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 |
| Dry Room | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Nutrients | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 1 | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 2 | 0 | 5 | 2 | 0 | 0 | 2 | 0 | 0 |
| Grow Rm. 3 | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 4 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 5 | 0 | 7 | 2 | 0 | 0 | 2 | 0 | 0 |
| Grow Rm. 6 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Elevator | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 |
| Elevator Room | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 |
| Distribution | 0 | 9 | 2 | 2 | 0 | 3 | 2 | 2 |
| Stairway | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bldg. Ext. | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Count | 14 | 102 | 19 | 6 | 0 | 27 | 16 | 4 |

Legend & Device Count for Security System Plan - Building # 2 (Parcels # 33/34) 2nd Floor

| |  |  |  |  |  |  |  |  |
|---------------|---|---|---|---|---|---|---|---|
| BLDG 2 | Ext. Cam | Int. Mot. Cam | Emp. Key | Alarm Key | Ext. Motion | Door Sensor | Panic | Glass Break |
| Stairway | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| Trim/Hall | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 |
| Nutrients | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Clone Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Toilets | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Dry Room | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Distribution | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 4 |
| Grow Rm. 1 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 2 | 0 | 7 | 2 | 0 | 0 | 2 | 0 | 0 |
| Grow Rm. 3 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Veg. Room | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Elevator | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Elevator Room | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 |
| Bldg Ext. | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Roof | 5 | 0 | 0 | 0 | 5 | 0 | 0 | 0 |
| Count | 14 | 64 | 10 | 0 | 5 | 11 | 3 | 4 |

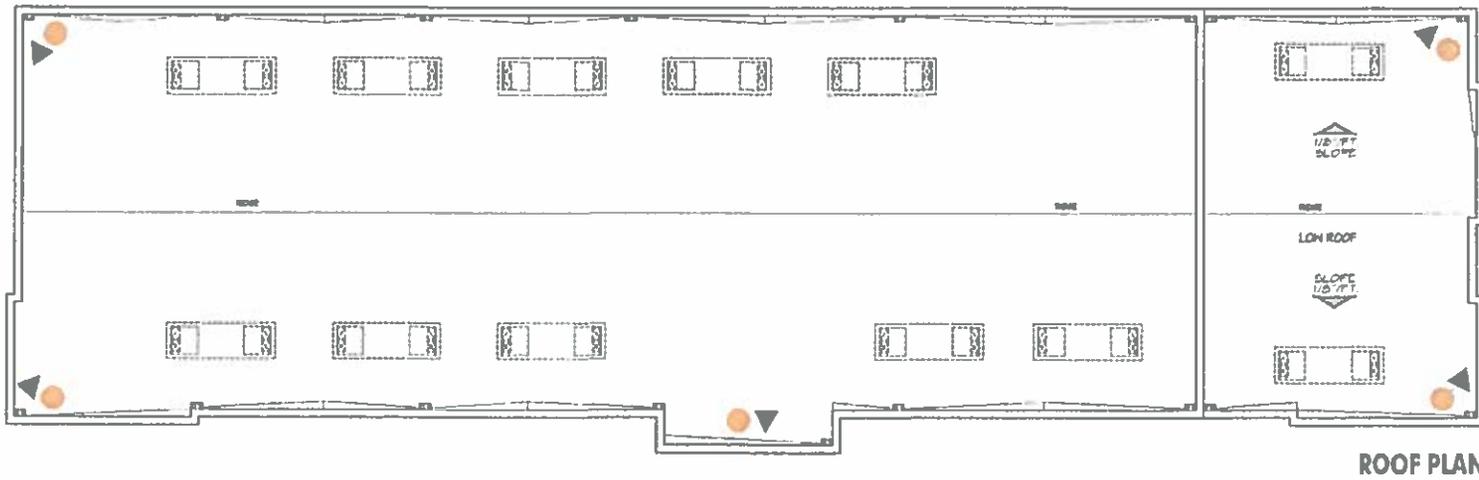
Exitoso, LLC - Cannabis Related Permit Application
 Item # 42 - Attachment # 7
 Security System Plan - Building # 2 (Parcels # 33 & 34)



LEGEND ◀ N

- ◀ Exterior Camera
- Interior Camera w/Motion
- Employee Keypad
- Alarm Keypad
- Door Contact Sensor
- Motion Sensor
- ▲ Panic Alarm Button
- ▼ Glass Break Detector

Exitoso, LLC - Cannabis Related Permit Application
 Item # 42 - Attachment # 7
 Security System Plan - Building # 2 (Parcels # 33 & 34)



| LEGEND | | ◀ N |
|--------|--------------------------|-----|
| ◀ | Exterior Camera | |
| ● | Interior Camera w/Motion | |
| □ | Employee Keypad | |
| ■ | Alarm Keypad | |
| ● | Door Contact Sensor | |
| ● | Motion Sensor | |
| ▲ | Panic Alarm Button | |
| ▼ | Glass Break Detector | |

Exitoso, LLC - Cannabis Related Permit Application

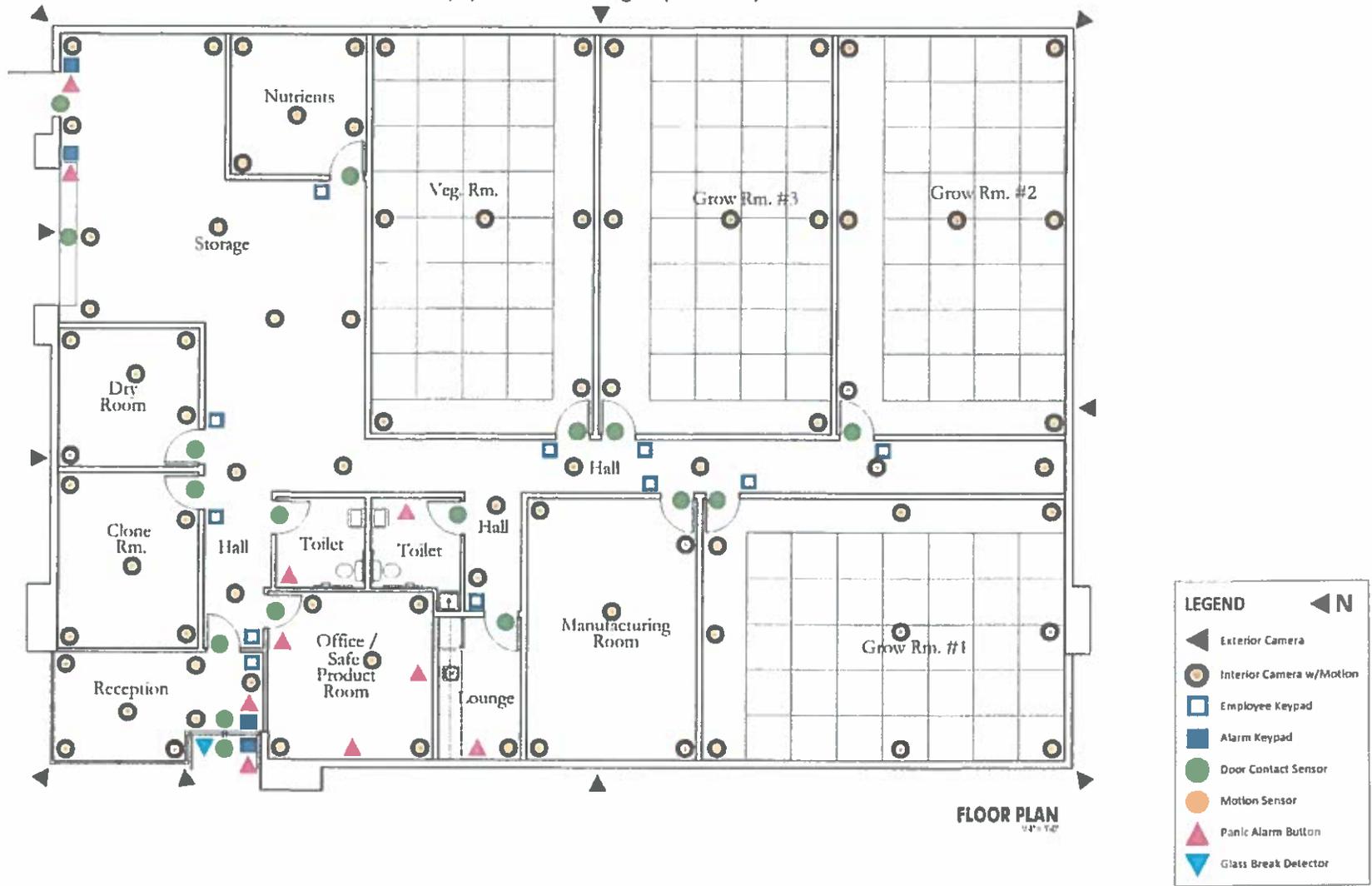
Page 3 of 4 - Item # 42

Attachment # 7

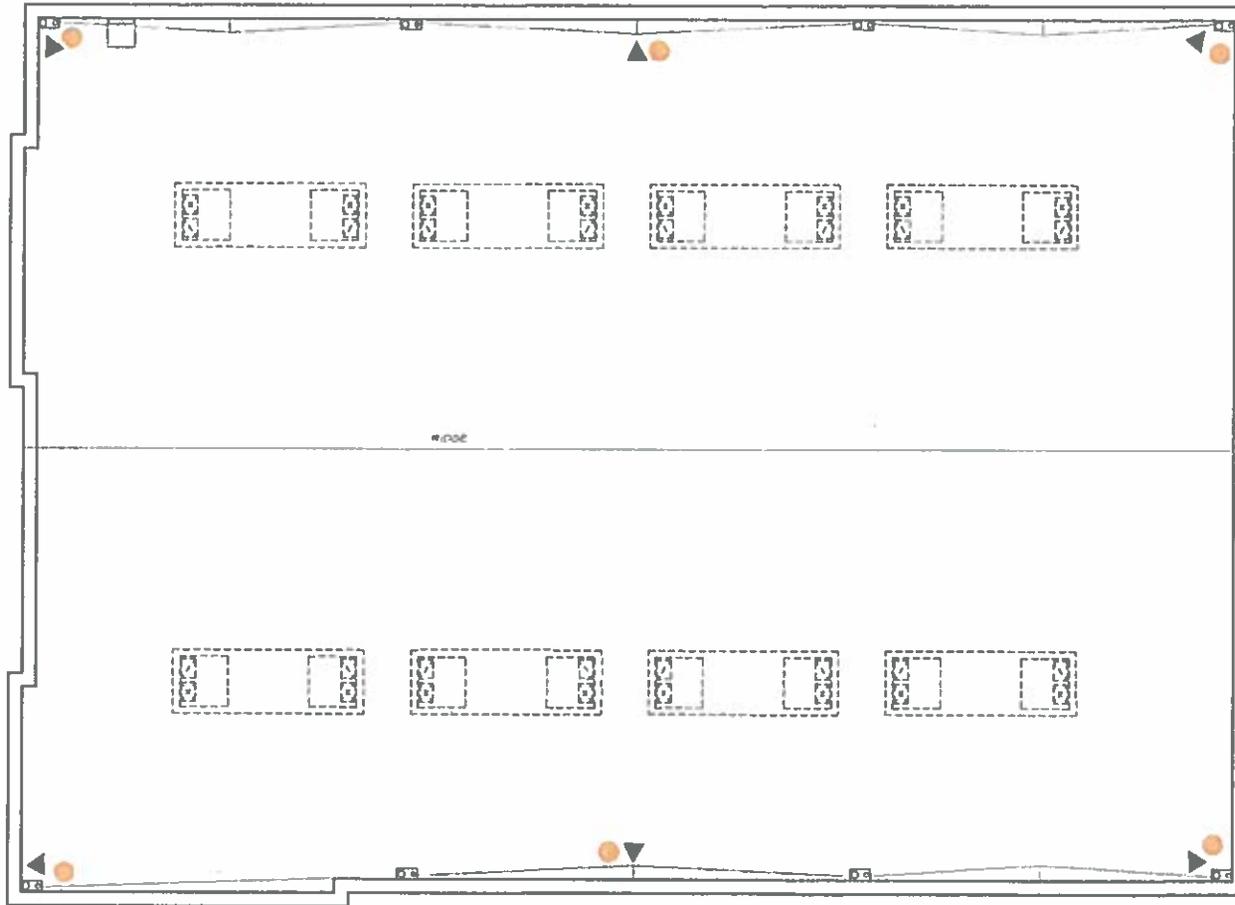
Legend & Device Count for Security System Plan - Building # 3 (Parcel #35)

| |  |  |  |  |  |  |  |  |
|---------------|---|---|---|---|---|---|---|---|
| BLDG 3 | Ext. Cam | Int. Mot. Cam | Emp. Key | Alarm Key | Ext. Motion | Door Sensor | Panic | Glass Break |
| Entry/Recep. | 0 | 7 | 1 | 2 | 0 | 3 | 2 | 1 |
| Halls | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ofc/Safe Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 3 | 0 |
| Clone Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Toilets | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Lounge | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 |
| Manuf. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Dry Room | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Nutrients | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Storage | 0 | 8 | 0 | 2 | 0 | 2 | 2 | 0 |
| Grow Rm. 1 | 0 | 9 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 2 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 3 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Veg. Room | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Bldg. Ext. | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Roof | 6 | 0 | 0 | 0 | 6 | 0 | 0 | 0 |
| Count | 16 | 80 | 11 | 4 | 6 | 17 | 10 | 1 |

Exitoso, LLC - Cannabis Related Permit Application
 Item # 42 - Attachment # 7
 Security System Plan - Building # 3 (Parcel # 35)



Exitoso, LLC - Cannabis Related Permit Application
Item # 42 - Attachment # 7
Security System Plan - Building # 3 (Parcel # 35)



ROOF PLAN
1/4" = 1'-0"

| LEGEND | |
|--------|--------------------------|
| | Exterior Camera |
| | Interior Camera w/Motion |
| | Employee Keypad |
| | Alarm Keypad |
| | Door Contact Sensor |
| | Motion Sensor |
| | Panic Alarm Button |
| | Glass Break Detector |

Exitoso, LLC - Cannabis Related Permit Application

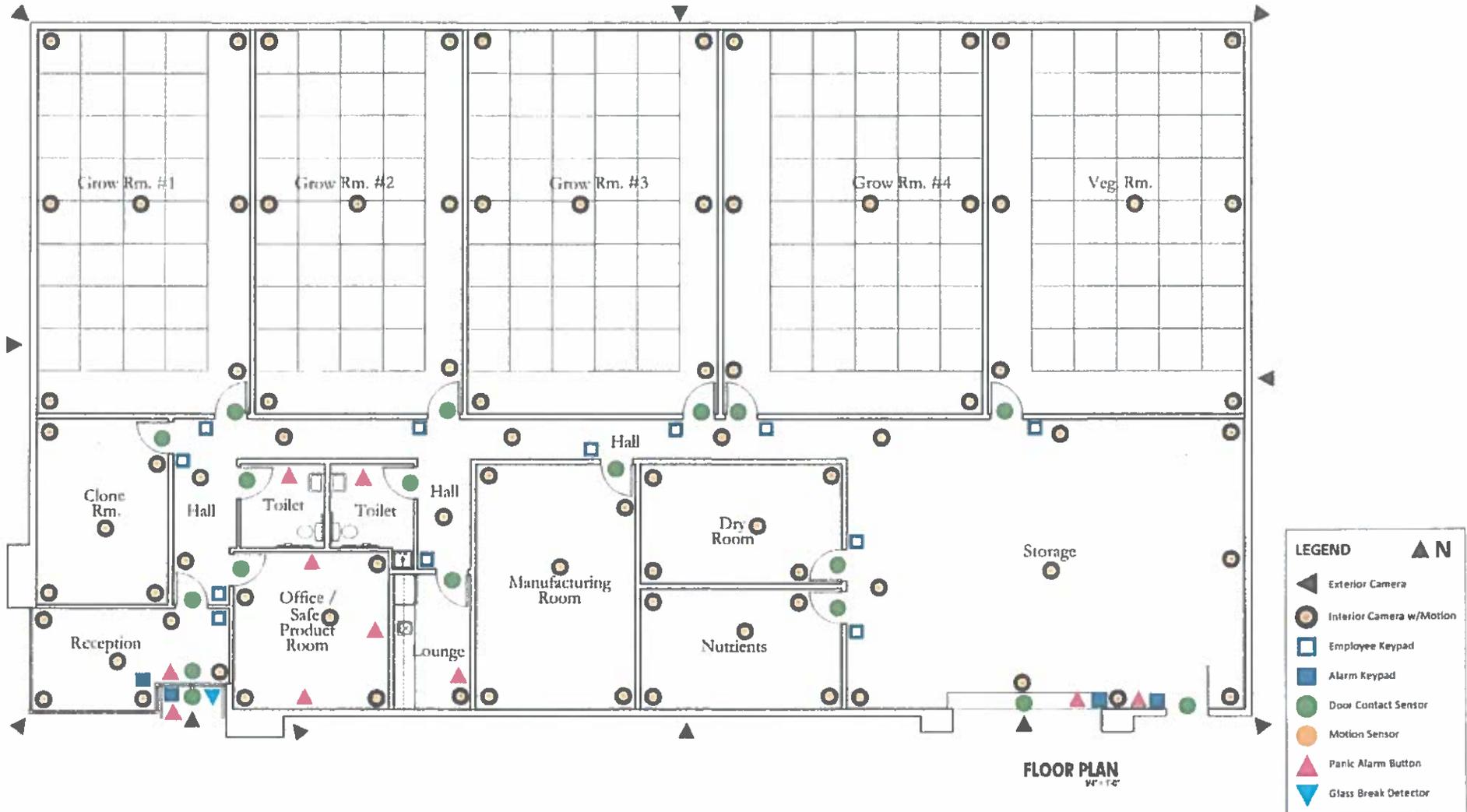
Page 3 of 4 - Item # 42

Attachment # 7

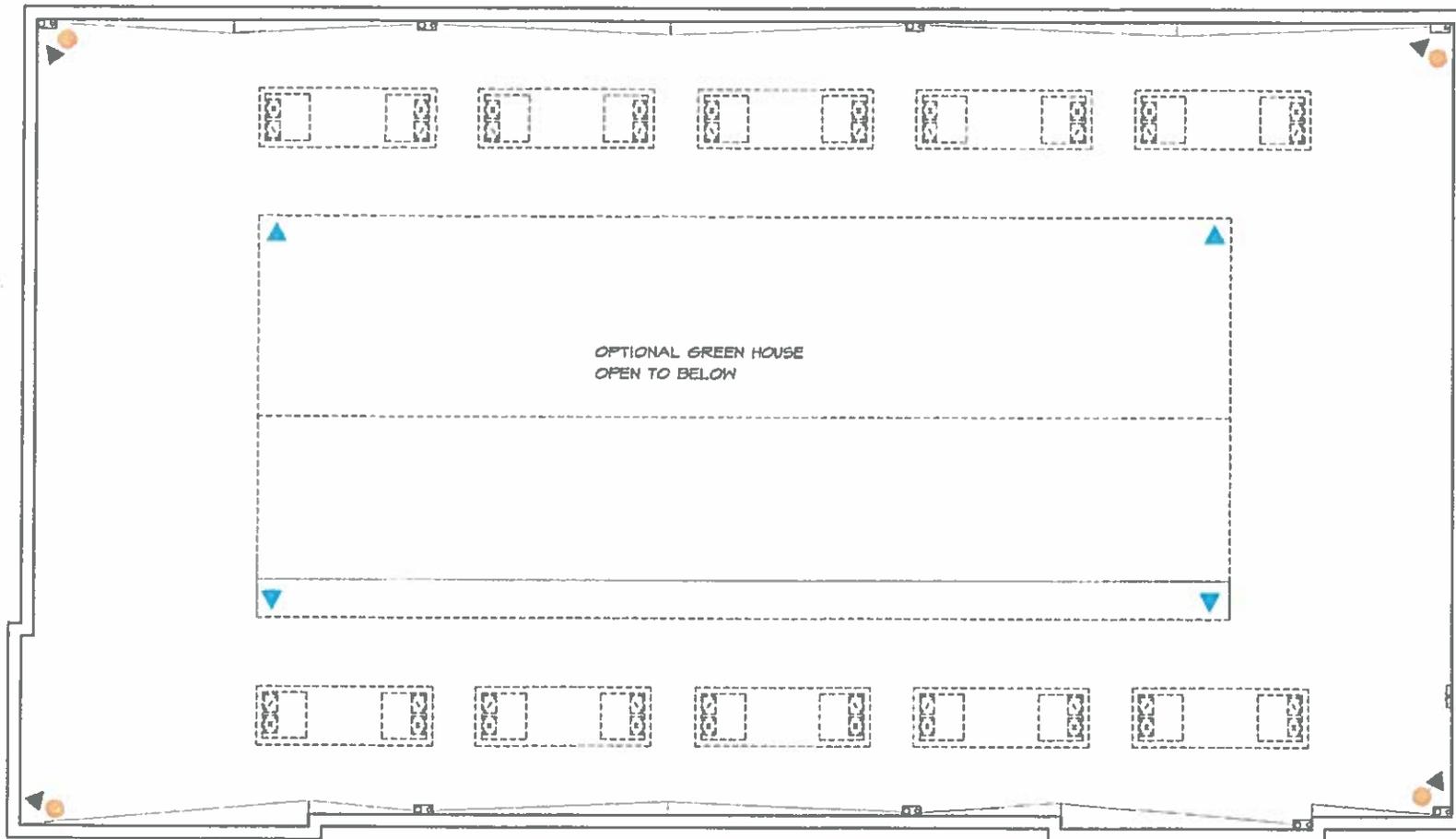
Legend & Device Count for Security System Plan - Building # 4 (Parcel # 36)

| |  |  |  |  |  |  |  |  |
|---------------|---|---|---|---|---|---|---|---|
| BLDG 4 | Ext. Cam | Int. Mot. Cam | Emp. Key | Alarm Key | Ext. Motion | Door Sensor | Panic | Glass Break |
| Entry/Recep. | 0 | 6 | 1 | 2 | 0 | 3 | 2 | 1 |
| Halls | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ofc/Safe Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 3 | 0 |
| Clone Rm. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Toilets | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Lounge | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 |
| Manuf. | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Dry Room | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Nutrients | 0 | 5 | 1 | 0 | 0 | 1 | 0 | 0 |
| Storage | 0 | 10 | 0 | 2 | 0 | 2 | 2 | 0 |
| Grow Rm. 1 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 2 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 3 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Grow Rm. 4 | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Veg. Room | 0 | 7 | 1 | 0 | 0 | 1 | 0 | 0 |
| Bldg. Ext. | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Roof | 4 | 0 | 0 | 0 | 4 | 0 | 0 | 4 |
| Count | 14 | 83 | 12 | 4 | 4 | 18 | 10 | 5 |

Exitoso, LLC - Cannabis Related Permit Application
 Item # 42 - Attachment # 7
 Security System Plan - Building # 4 (Parcel # 36)



Exitoso, LLC - Cannabis Related Permit Application
Item # 42 - Attachment # 7
Security System Plan - Building # 4 (Parcel # 36)



| LEGEND | | ▲ N |
|--------|--------------------------|-----|
| ▲ | Exterior Camera | |
| ● | Interior Camera w/Motion | |
| ■ | Employee Keypad | |
| ■ | Alarm Keypad | |
| ● | Door Contact Sensor | |
| ● | Motion Sensor | |
| ▲ | Panic Alarm Button | |
| ▼ | Glass Break Detector | |

Security System Plans & Commercial Surveillance System

Honeywell | Intrusion

VISTA-250BPT/VISTA Turbo Series



Features

- Provides nine onboard style-B hardwired zones
- Supports up to 241 additional zones using a built-in polling (multiplex) loop interface
- Supports up to 249 wireless zones using up to two 5800 Series wireless receivers (fewer if using hardwired and/or polling loop zones)
- Provides 1 power-limited bell circuit delivering 1.7Amp (max) at 12Vdc
- Provides the ability to control eight separate partitions independently, each functioning as if it had its own separate control
- Accommodates 250 user codes with seven authority levels per partition
- Accommodates 32 keypad macro commands per system
- Keeps a log of up to 1,000 events
- Optiflex CCTV support
- Supports up to 16 two-wire smoke detectors on zone 1
- Zone 7 may be used for keyswitch arming/disarming
- Integrates with WIN-PAK access control systems to provide increased users, event log and scheduling

Security System Plans & Commercial Surveillance System

- Supports V-Plex® addressable VISTAKEY access control (up to 15 doors and 500 cards)
- Supports up to 96 programmable outputs
- Supports up to six touchscreen Advanced User Interface (AUI) devices (6272 or later)
- Smoke detector reset at keypad
- Quick exit
- Group bypass
- Arm faulted
- Event arming
- Carbon monoxide (CO) zone type support
- Expanded high-speed RS-232 capability for third party interface and automation
- Internet upload/download over AlarmNet GSM and/or IP communicators over the panel's keypad (ECP) bus
- Ringback support for AlarmNet communicators (confirmation of closing report)
- 24-hour dialer test support for AlarmNet devices
- Supports V-Plex Smart Contact feature for improved responsiveness on systems with many V-Plex zones
- Telco line cut detection

Security System Plans & Commercial Surveillance System

GW Security 16 Channel HDMI CCTV 1.3MP Security Surveillance DVR System

with 12 x 1300TVL 720p High Resolution Weatherproof Security Cameras/Pre-Installed 2TB Hard Drive

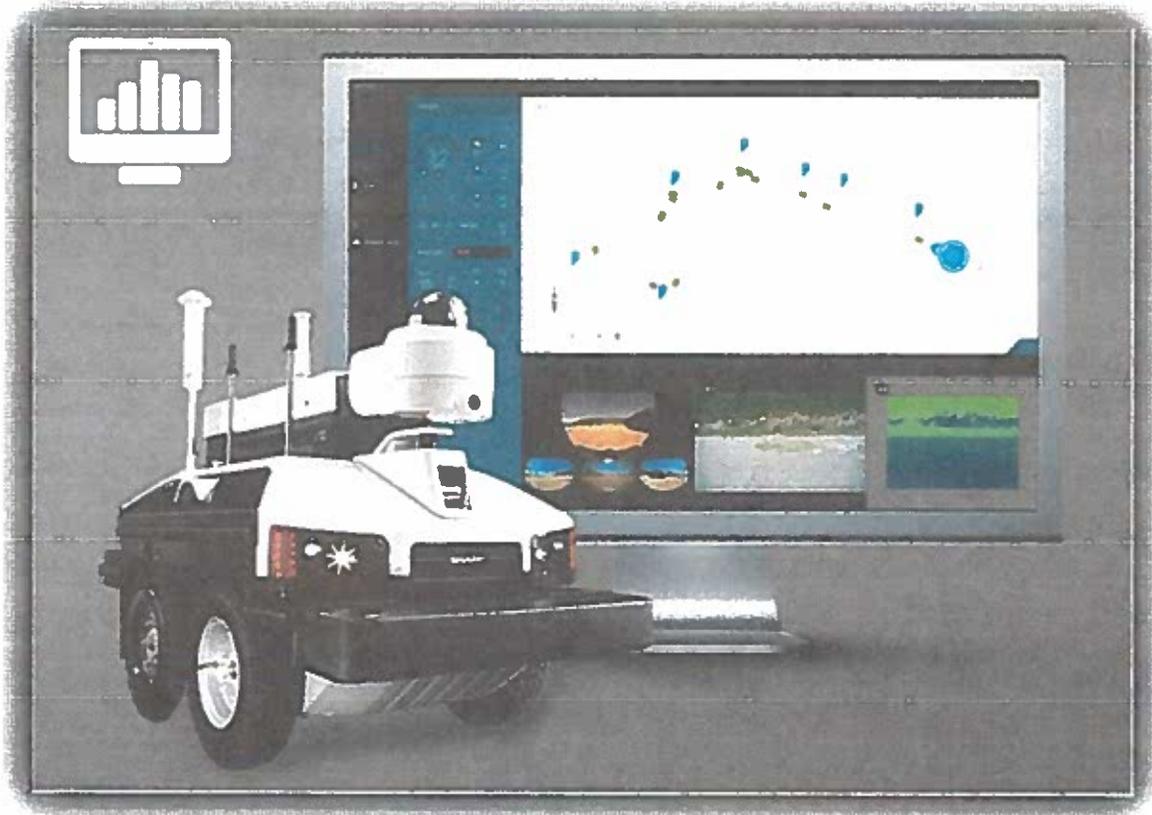


24/7 Live Outdoor Security in any temperatures and conditions using Sharp INTELLOS™ A-UGV Intelligence

Sharp's heritage of best-in-class engineering, high-quality manufacturing and efficient design continues with the Sharp INTELLOS Automated Unmanned Ground Vehicle (A-UGV). This breakthrough, autonomous robotic system can enhance outdoor surveillance, security, safety and maintenance inspections. By integrating with your other technologies, it augments a skilled guard force to provide comprehensive awareness – and help your organization meet the challenges of today's ever-changing, highly demanding security landscape.

System will record detected activity 24 x 7 x 10 days minimum, and store immediately to the cloud to prevent tampering.

Security System Plans & Commercial Surveillance System



- **Virtual, autonomous operation** for up to 3 touring shifts daily according to battery life. *NOTE: Depending on speed, terrain, and accessory usage, battery life could last between four to twelve hours per charge.*
- **Integrated camera system** documents and stores the entire guard tour with multiple video technologies.
- **Drive train** has all electric, independent brushless motors.
- **Multi-tiered safety features** include obstacle detection sensors, ultrasonic sensors and four-sided bumpers with pressure-sensitive stop switches.
- **Wireless transmitter** (transceiver) securely sends sensor data across a mesh network to the command center's PC/server, preinstalled with Sharp's Command and Control Application Software (CCAP).

Security System Plans & Commercial Surveillance System

- **MultiRAE gas and radiation instruments** can monitor up to 5 of 29 potential threats.
- **Wireless network security** is addressed with 128- or 256-bit data encryption, provided by the A-UGV's built-in VPN (virtual private network) router and in the CCAP system.
- **Exacting navigation platform**, developed by Sharp, uses GPS and RTK (real-time kinematic) to provide highly precise, accurate positioning for the A-UGV.
- **Sharp Service Program** includes 3-year onsite service, periodic maintenance, remote support, and onsite and online training.



Security System Plans & Commercial Surveillance System

Features that complement and enhance our security infrastructure.

A visible deterrent on predetermined routes can potentially stop trouble before it occurs.

- Secure, real-time data transmission across a wireless mesh network (with backup public cellular, if available) keeps your onsite command center on top of vehicle position and telemetry as well as video, audio and sensor information.
- Integrated camera system comprehensively captures the guard tour with multiple video technologies.
- Adjustable-height boom stretches to approximately 5'9", enabling the A-UGV to see into and over objects such as walls and fences.
- Two-way audio communication, standard cameras and available sensors allow security personnel to communicate through the A-UGV without placing themselves in harm's way.
- Electric drive system powered by two user-replaceable, rechargeable lithium ION battery packs, could provide between four to twelve hours per charge, enabling coverage for 3 full shifts each day. *NOTE: Actual battery life may vary, depending on speed, terrain, and accessory usage.*
- Optional sensors help reduce exposure from hazardous conditions. An array of sensors are available to match the monitoring needs of multiple outdoor site applications.
- Multi-terrain front tires provide traction; omnidirectional rear tires feature a revolutionary new design that allows lateral movement to minimize tire friction and power usage.

Procedures

As previously indicated Exitoso, LLC will operate an all-organic, earth friendly, energy efficient cannabis cultivation and manufacturing business.

All cultivation and byproducts produced or manufactured will be of medicinal grade.

Cultivation will use many separate grow rooms to prevent undesirable cross-pollination or spreading of any insects, mold or fungi. Each room will be sterile and maintained in medical grade specifications, with scheduled self-testing for any bacterial, fungal or foreign presence.

Manufacturing of cannabis extracts will use two methods

Rosin Press: The clean, simple and safe method is by pressing the grown leaf cannabis product to produce rosin. Organic cannabis, placed in a pouch, is pressed between two heated plates with enough pressure to pulverize cannabis into a clean form, which is heated and inhaled like cannabis, without the harsh leaf smoke.



We feel this is the most pure form of cannabis and cleanest and safest to consume. In this process, we use no solvents at all.

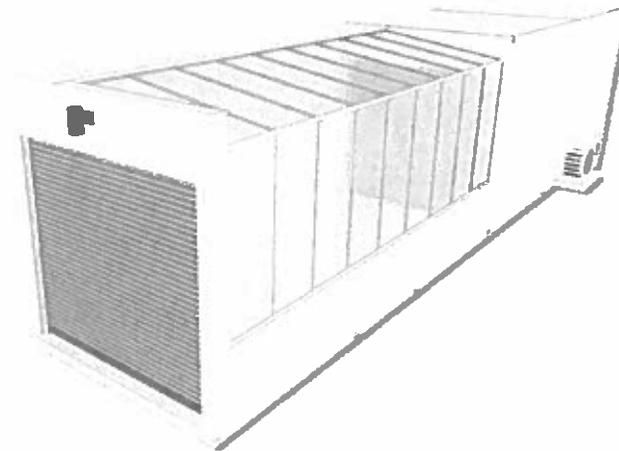
Co2 Extraction (Most Common) - The other method uses carbon dioxide (CO₂) used as a solvent in a closed system. There is NO hazard, as CO₂ is essentially inert, unlike organic solvents used in some processes.

Renewable Energy It is the intent of Exitoso to use renewable energy wherever feasible. This includes wind (the wind farms are walking distance from our location) and solar to the extent that roof space will allow. Finally, recent advances in natural gas co-generation plants, such as the one utilized at the Palm Springs City Hall and International Airport, make it practical and ideal for smaller scale operations like ours.

Cultivation and Manufacturing Standards include use and methods including:

- Nutrients 100% organic
- Organic pesticides biodegradable
- Sanitary Medical/Pharmaceutical Environment
- Hand trimming conducted in Medical Grade Rooms
- Scheduled Self-testing and Tested by State Authorized Testing Labs

Indoor Storage: Medical grade – temperature Controlled – Secured and Monitored



Inventory Procedures: Track and Trade Software from Guardian Data Systems, which is state compliant, tracked and analyzed 24/7.

Product Data Management: Will use a cannabis cultivation seed to sale software and are currently looking into purchasing a software package from **Guardian Data Systems** which tracks inventory live, tracing every seed mother and clone through each growth phase.

Capture Lab Results: Attributes of lab tests like THC content and CBD are automatically captured, either by scanning directly to the cannabis cultivation software or through integration in the lab.

Track Nutrients and Energy: Applications of nutrients and consumption of energy will be traced in the cannabis cultivation software as plants grow. Any interaction of staff with plants will be recorded and associated to a plant, room, location, time or other grouping.

Make Projections: We will leverage the power of historical data that's captured on a strain-by-strain basis and utilized in reports. Providing an accurate and informed yield and potency projections.

Follow Plant Movements: Material Management capabilities of cannabis cultivation software will provide tracking of plants as they move between rooms for the different phases of growth.

Compliance provided with the cannabis industry's traceability and regulatory requirements.

On Site Security (other than Robotic)

Our intent for employment of all Private Security Guards will be to hire Veterans.

Transaction and Safe Rooms

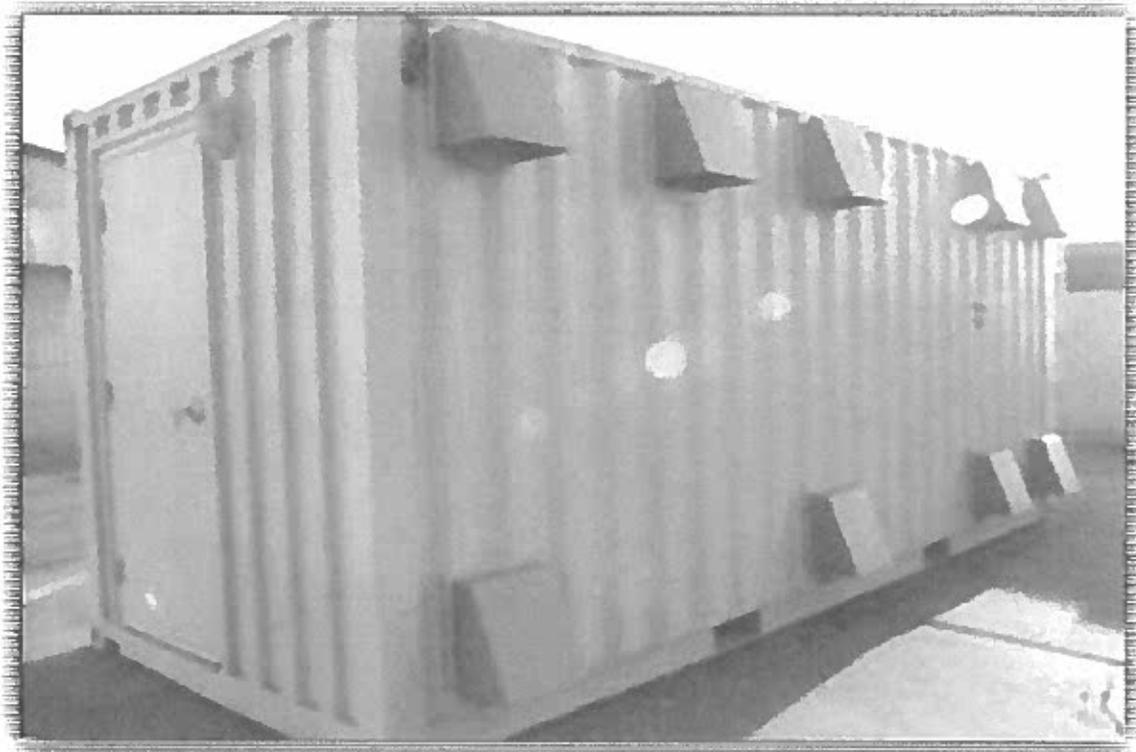
In each building where required there will be an "extra high-security" room designated for the purpose of financial transactions and storage of any "required on site" certificates, paperwork or files.



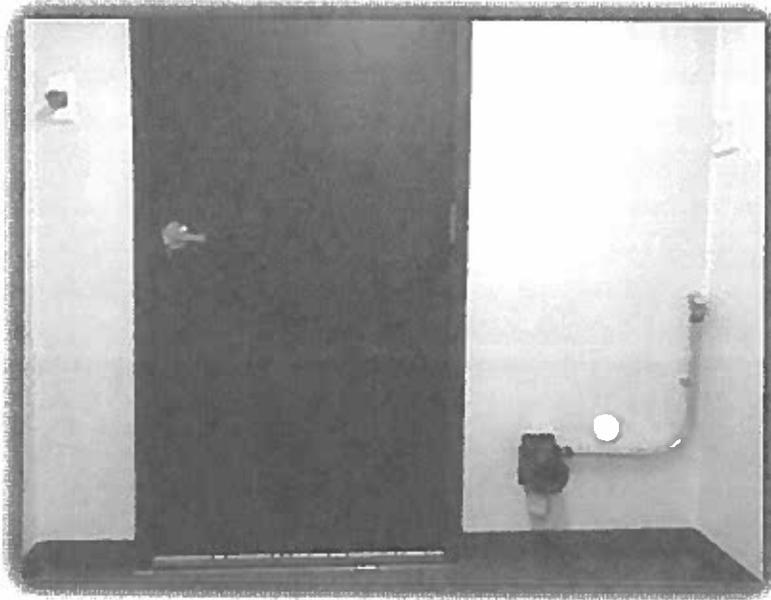
Transportation Process - Pickups by licensed contractors and/or authorized armored services, compliant with California State Model Compliance, and/or our own State Certified Transportation utilizing our staff of experienced Veterans. (See above)

Cannabis Extraction

These PODS made by Converted Containers may be placed within a room or area designated specifically for Cannabis Extraction. **Converted Containers** specializes in converting water-tight cargo or shipping containers from bare bones metal structures into a variety of needed resources. Our conversions range from commercial storage buildings and secured on site storage to portable kitchens or laboratories and disaster relief buildings.



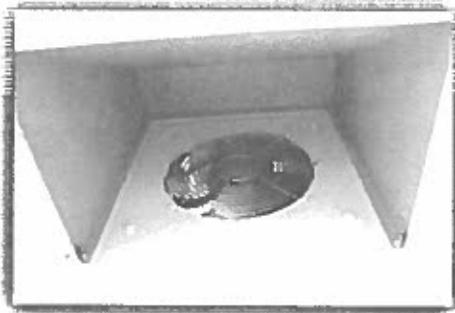
We can handle single crate conversions or multi-container masterpieces for residential housing projects and office buildings. We have extensive knowledge and skill in custom fabrication of storage containers that includes outfitting units with proper ventilation and safety requirements for Extraction Laboratories, Hazmat storage and solar substations as well as, tasks like plumbing, electrical lighting, solar installation and high-end finishing. We also provide a number of converted containers for portable shower and restroom buildings, both for lease or purchase.



Used Cargo Containers have long life spans and require minimal maintenance. The exterior of the containers helps to determine their final cost, with damaged containers (bumps and bruises but, nothing that effects the usability and integrity of the structure) being less expensive.



All containers have been shipped over water so they are water-tight and highly durable. In addition, most conversions are made to be highly portable meaning your business, laboratory or storage unit can be quickly and cost effectively moved with your market or field operations.



We see the safety, simplicity and value in using Converted Containers specializes in engineering and building Inter modular Steel Building Unit (ISBU) for the cannabis industry. We do this by converting shipping containers into fully automated state of the art grow pods, extraction labs, and kitchens.



All of our systems have been professionally engineered and have undergone a 3rd party engineering peer review and are accepted in Cities, Countries and States throughout

the legalized markets. We are committed to producing the safest and most technologically advanced cannabis cultivation, extraction, and processing rooms on the market.

Specs, Stamps and Accreditation

- **Class 1 Div 1** - Our Extraction pods offer a safe and controlled environment for cannabis extraction and processing. We have professionally engineered our containers for Co₂, Butane, Hexane, Isopropyl Alcohol, as well as mixed solvents. Not Only are the pods Blast, Fire, and Sound rated but they are fully equipped with an interlocked electrical and emergency system, ignition source controls with anti-static vinyl floors, gas detection systems, and ventilation for both dilution and extraction fan system. We have created a compliant class 1 division 1 environment that ensures operator safety.
- **Speed to market** - our Extraction pods are by far the quickest and most efficient way to launching and/or expanding your cultivation facility. The turnkey containers eliminate the headache of missing crucial deadlines and going over the budget due to months of construction. Our plug and play containers will allow you to start generating revenue immediately and get you to market faster than your competitors.
- **Engineered Stamps** - All of our system have been professionally engineered and have undergone a 3rd party engineering review which has been accepted by the Washington State Liquor Control Board, the Colorado MED and several local fire departments in multiple states including California, Nevada, and Oregon.
- **Security** - Our containers come fully equipped with interlocked state of the art video monitoring and alarm systems. You should be able to sleep like a baby at night knowing that your crop is growing safe and sound inside of a water sealed, self contained, secured steel container.
- **Portability** - The beauty of our containers is that they are mobile. If you need to relocate for any reason, all you have to do is unbolt the container from the ground and take it with you. Once you are at your new location just set them up, plug them in and you are growing once again. It's that simple.

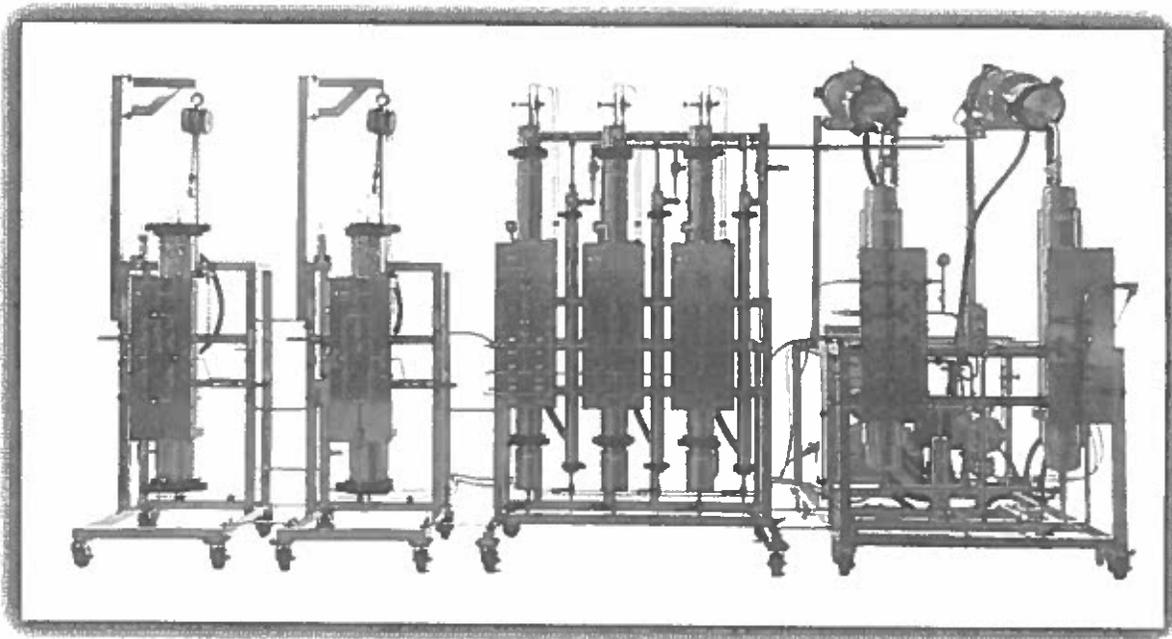
CO₂ Extraction Equipment

Our decision to purchase Commercial Grade Manufacturing Extraction Equipment from a reputable industry leader, Eden Labs out of Seattle Washington, which is a modern, ethnobotanical based company that continually innovates efficient systems for the highest purity and quality products.

We share their focus and recognize their commitment, for close to 25 years, which is all about the patients. They have been unlocking the constituents from botanicals that have been shown to have positive effects on human wellness whether by clinical trial or through a plant's use in human history and integrative medicine.

Being focused on pure medical or nutritional extracts goes hand in hand with environmental remediation and stewardship.

The company was founded from an intense curiosity on the effects of botanicals on human health and wellbeing.

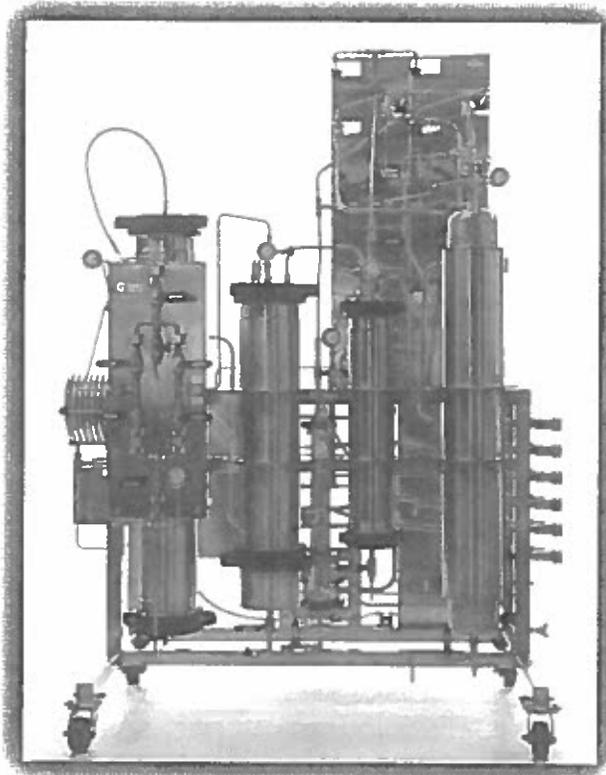


The Supercritical CO₂ extraction process creates phase changes in carbon dioxide utilizing temperature and pressure. CO₂ is known as a "tunable solvent" making it extremely versatile for creating a multitude of end products by controlling temperature and pressure. These phase changes create an environment to drop out differing weights of components in the plant material.

The unique design of the Hi-Flo Series systems allow for separation and collection of these constituents during a single extraction. This enables collection of light essential oils separately from other desirable constituents and heavier lipids. Supercritical CO₂ fluid extraction (SCFE) methodology delivers a clean, unaltered, consistent-yet-flexible product.

Why use CO₂?

The primary reason is to create a pure, clean, quality oil that is safe to produce with little-to- no post-processing, unlike toxic solvents that may require many hours to purge the solvent trapped in the oil. In addition, multiple industries have proven that the highest efficiencies in commercial processing utilize CO₂.



CO₂ is efficient, inexpensive and is a "tunable" solvent. The ability to "tune" the extraction process can not be overstated - especially with a system that will separate constituents during an extraction. CO₂ is also a sanitizing agent, prolonging shelf life and with the proper system and environment, yields food and medical grade oils.

CO₂ extraction is the cleanest, safest method for extracting plants such as hops, cannabis and a wide range of nutraceuticals and organic crops.



City of Palm Springs

Office of the City Attorney

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: 760.323.8205 • Fax: 760.322.8332 • TDD 760.864.9527 • www.palmspringsca.gov

VIA HAND DELIVERY

March 6, 2018

Mr. Rick Pantele
Mr. Mervyn Kirshner
Existo LLC
98 Danbury Lane
Irvine, California 92618

**Re: Cannabis Related Businesses and Activities Permit
Application Case No. C-2017-014 – Ruppert Street, Palm Springs**

Dear Messrs. Pantele and Kirshner,

Congratulations on the City's issuance of your cannabis related businesses and activities permit, and thank you for choosing to do business in the City of Palm Springs. As you know, recent Ordinances 1933 and 1935 allowed you to secure this permit, and commence operations at such point in time when you have secured all necessary City approvals. As you know, your operations pursuant to this permit are only lawful to the extent that they are consistent with all applicable State law, and you are specifically admonished that the adult-use permit now issued may not be used or relied upon by you until State law allows.

While we are issuing your permit please be advised that the City has not provided the approvals necessary to proceed with operations. In an effort to issue you a permit to proceed with your State application you understand that you must agree to comply with all terms and conditions determined by the City and the issuance of a land use permit and environmental review. As your permit indicates, you may not operate the permitted business, regardless of the permit and/or any business license you may secure, until and unless the City issues you a certificate of occupancy. Further, please be advised that prior to commencing operations you will be required to obtain a surety bond pursuant to PSMC 5.45.080/5.55.080 (D), in an amount determined by the City Attorney, should you fail to comply your permit will be revoked.

With the issuance of your license for medical cannabis and adult use dispensary, your operations are subject to the following conditions pursuant to 5.45.095 and 5.55.095:

- The dispensary must and will comply with all the requirements of the State and City to operate;
- The dispensary complies with the locational requirements of the Zoning Ordinance;
- The dispensary will not result in significant unavoidable impacts on the environment;

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- The dispensary includes adequate measures that minimize nuisances to the immediate neighborhood and community including minimizing the detection of odor from offsite, loitering, adequate security measures and not exceeding the Land Use Permit's limits on hours of operation;
- The dispensary will provide adequate measures that address the federal enforcement priorities for cannabis activities; and
- The dispensary shall allow access to the dispensary facilities and records if requested by the City and shall pay for an annual inspection in an amount determined by City Council Resolution.

With the issuance of your license for cultivation, your operations are subject to the following conditions pursuant to 5.45.096 and 5.55.096:

- The cultivation, as proposed, will comply with all of the requirements of the State and City for the cultivation of cannabis;
- The cultivation complies with the locational requirements of the Zoning Ordinance;
- The cultivation, as approved and conditioned, will not result in significant unavoidable impacts on the environment;
- The cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site;
- The cultivation includes adequate measures to address the projected energy demand for cannabis cultivation on the site;
- The cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets industry standards;
- The cultivation includes adequate measures that address the federal enforcement priorities for cannabis activities, including restricting access to minors, prohibiting use or possession of firearms for security purposes at the premises, and ensuring cannabis and cannabis products are not supplied to unlicensed and unpermitted persons within the State and not distributed out of State; and
- The cultivation site shall allow access to the cultivation facilities and records if requested by the City and shall pay for an annual inspection in an amount determined by City Council Resolution.

With the issuance of your license for manufacturing are subject to the following conditions pursuant to 5.45.097 and 5.55.097:

- The manufacturing facility, as proposed, will comply with all of the requirements of the State and City for cannabis manufacturing;
- The manufacturing facility complies with the locational requirements of the City's Zoning ordinance.
- The manufacturing, as approved and conditioned, will not result in significant unavoidable impacts on the environment;
- The manufacturing includes adequate quality control measures to ensure cannabis manufactured at this site meets industry standards;
- The manufacturing facility does not pose a significant threat to the public or to neighboring uses from explosion or from the release of harmful gases, liquids, or

substances;

- The manufacturing operations plan includes adequate measure that address the federal enforcement priorities for Cannabis activities including providing restrictions on access to minors, prohibiting use or possession of firearms for security purposes at the premises, and ensuring that cannabis products are obtained from and supplied only to other permitted licensed sources within the State.
- The manufacturing facility shall allow access to the transportation and distribution facilities and records if requested by the City and shall pay for an annual inspection in an amount determined by City Council Resolution.

Further, your company shall indemnify, defend and hold the City harmless from any and all claims and proceedings relating to the approval of the permit relating to any damage to property or persons stemming from the cannabis business activity. You must provide to the City within thirty (30) days of issuance of your City permit, your seller's permit number.

As a reminder, you are still bound to pay the City's permit fees, once they are made public, pursuant to the documentation that you filed with your application. If you have any questions regarding the terms and provisions of the issuance of your permit, please feel free to contact me.

Very Truly Yours,

THE CITY OF PALM SPRINGS



Edward Z. Kotkin
City Attorney

EZK:vg

CITY OF PALM SPRINGS
CANNABIS RELATED BUSINESSES AND ACTIVITIES PERMIT
 3200 F TAHQUITZ CANYON WAY, PALM SPRINGS, CALIFORNIA 92262 (760) 323-8239

THIS PERMIT CERTIFIES THAT: **EXISTO, LLC**

Approved for and by the authority of the City Manager of the City of Palm Springs,

| | |
|--|--|
| Project Address: Ruppert Street, Palm Springs, California APN: 666-402-007-5 (Parcel 32); APN: 666-402-009-7 (Parcel 33); APN: 666-402-011-8 (Parcel 34); APN: 666-402-013-1 (Parcel 35); APN: 666-422-001-1 (Parcel 36) | |
| Owner Name: Existo, LLC | Phone: (760) 408-9814 |
| <i>Has been granted a PERMIT to operate the following business/es under City Ordinance No. 1933, otherwise known as the RELATED AND BUSINESSES AND ACTIVITIES ORDINANCE of the City of Palm Springs, subject to the provisions of other pertinent laws, ordinances and related administrative regulations.</i> | |
| <input checked="" type="checkbox"/> 5.45.095/5.55.095 Dispensary <input checked="" type="checkbox"/> 5.45.097/5.55.097 Manufacturing <input type="checkbox"/> 5.45.098/5.55.098 Testing Facility <input type="checkbox"/> 5.45.099/5.55.099 Transportation and Distribution | <input checked="" type="checkbox"/> 5.45.096/5.55.096 Cultivation <input type="checkbox"/> Type 1 Specialty Outdoor <input type="checkbox"/> Type 1A Specialty Indoor <input type="checkbox"/> Type 1B Specialty Mixed Light <input type="checkbox"/> Type 2 Small Outdoor <input type="checkbox"/> Type 2A Small Indoor <input type="checkbox"/> Type 3 Outdoor <input checked="" type="checkbox"/> Type 3A Indoor <input checked="" type="checkbox"/> Type 3B Mixed Light <input type="checkbox"/> Type 4 Nursery |
| Description: Commercial Medical and Adult Use Cannabis Dispensary with Delivery; Commercial Medical and Adult Cultivation. | |

this 7 day of March, 2018.

Application Case No: C-2017-014

By:

David H. Ready, Esq., Ph.D.,
City Manager

Meeting Date: 09/12/2018

Subject

RADIO PS PROPERTIES, LLC FOR A CONDITIONAL USE PERMIT; ADOPTION OF A MITIGATED NEGATIVE DECLARATION; AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 10,504-SQUARE FOOT CANNABIS CULTIVATION FACILITY LOCATED AT 3573 NORTH ANZA ROAD, ZONE M-1, SECTION 34 (CASE 5.1441 CUP AND 3.4073 MAJ). (GM)

RECOMMENDATION: Approval

Attachments

Anza Facility



Planning Commission Staff Report

DATE: September 12, 2018

PUBLIC HEARING

SUBJECT: RADIO PS PROPERTIES, LLC FOR A CONDITIONAL USE PERMIT; ADOPTION OF A MITIGATED NEGATIVE DECLARATION; AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 10,504-SQUARE FOOT CANNABIS CULTIVATION FACILITY LOCATED AT 3573 NORTH ANZA ROAD, ZONE M-1, SECTION 34 (CASE 5.1441 CUP AND 3.4073 MAJ).

FROM: Department of Planning Services

SUMMARY

This is a request for the Planning Commission to review a Conditional Use Permit; the approval of a Mitigated Negative Declaration under CEQA; and a Major Architectural Application for the construction of a new 10,504-square foot cannabis cultivation facility located on a 15,000-square foot vacant lot at 3573 North Anza Road.

RECOMMENDATION: Approval

1. Approve the Conditional Use Permit;
2. Adoption of a Mitigated Negative Declaration under CEQA;
3. Approval of the Major Architectural Application subject to attached conditions of approval.

PRIOR ACTIONS:

| <i>Related Relevant City Actions by Planning, Fire, Building, etc...</i> | |
|---|--|
| 02/08/2018 | Parcel merger of two lots to form one 15,000-square foot lot approved and recorded. |
| 06/04/2018 | Architectural Advisory Committee reviewed the project and voted 7-0 to continue with the following comments: <ol style="list-style-type: none">1. Site the building with the parking lot to the north.2. Service door to be a roll-up.3. Simplify landscape plan.4. Canopy over door to be revised.5. Reduce building height and bulkiness of parapet. |
| 07/16/2018 | Architectural Advisory Committee reviewed and voted 6-0-1 to recommend approval to the Planning Commission with the following |

| | |
|--|--|
| | comments: 1. Overhang on south to match overhang on the east. 2. Remove Italian Cypress and replace with other plant. 3. Trees to be aligned with parking lot striping. |
|--|--|

BACKGROUND AND SETTING:

| <i>Most Recent Ownership</i> | |
|-------------------------------------|--|
| 03/07/2018 | Radio PS Properties, LLC (see attached ownership disclosure) |

| <i>Notification</i> | |
|----------------------------|---|
| 04/27/2018 | Property posted with “Project Under Consideration” sign associated with Conditional Use Permit application Case 5.1441 CUP. |
| 08/30/2018 | Public Hearing notices sent to all property owners within 500 feet of subject property. |
| 09/07/2018 | Email notification sent to Desert Highland, Racquet Club East, and Racquet Club Estates Neighborhood Organizations. |

| <i>Field Check</i> | |
|---------------------------|---|
| 04/2018 | Staff visited site to observe existing conditions |

| <i>Details of Application Request</i> | |
|--|--------------------|
| <i>Site Area</i> | |
| Over All Site | 15,000-square feet |

| <i>General Plan, Zoning and Land Uses of Site & Surrounding Areas</i> | | | |
|--|--|---|---------------------------------|
| | <i>Existing General Plan Designations</i> | <i>Existing Zoning Designation</i> | <i>Existing Land Use</i> |
| Site | MU (Mixed-Use/Multi-Use) | M-1 (Service/Manufacturing) | Vacant |
| North | MU (Mixed-Use/Multi-Use) | M-1 (Service/Manufacturing) | Cannabis Cultivation Facility |
| South | MU (Mixed-Use/Multi-Use) | M-1 (Service/Manufacturing) | Warehouse |
| East | MU (Mixed-Use/Multi-Use) | M-1 (Service/Manufacturing) | Warehouse |
| West | MU (Mixed-Use/Multi-Use) | M-1 (Service/Manufacturing) | Vacant |

DEVELOPMENT STANDARDS:

Development Standards for the M-1 Zone pursuant to Section 92.17.03 of the PSZC shall apply.

| | M-1 | Proposed Project | Comply |
|------------------------|---|--|---------------|
| Lot Area | 20,000-square feet unless lot sizes are otherwise established | 15,000 sq.ft. | Yes |
| Lot Width | 150 feet | 150 feet | Yes |
| Lot Depth | 100 feet | 100 feet | Yes |
| Front Yard | 25 feet | 25 feet | Yes |
| Side Yard | No Requirement | None | Yes |
| Rear Yard | No Requirement | None | Yes |
| Building Height (max.) | 30 feet (mechanical screening allowed at 6" above equipment) | 25'-2" feet to top of roof plate with a 3' parapet for max building = 28'-2" | Yes |
| Bldg. Coverage | No Requirement | 26% | Yes |
| Off-street parking | 1 per 800 sq ft bldg. | 10,504 sq ft bldg. = 13 spaces Providing 21 spaces | Yes |
| Landscaping | No specific requirements | Landscape plan provided | Yes |

ANALYSIS:

Site Plan:

The proposed project is for the construction of a new two-story 10,504-square foot cannabis cultivation building on a vacant parcel in an industrial park area. The site consists of two parcels that were recently merged into one with a total area of 15,000-square feet. The interior lot fronts North Anza Road and is flanked by an existing cannabis cultivation building to the north and a warehouse to the south. The new building will be setback twenty-five (25') feet from the front property line and sited in the northwest corner of the lot placed on the side property line and off-set five (5') feet from the rear property line due to an existing utility easement. Bay parking along the street frontage is proposed as well as a thirteen (13) space off-street parking lot located to the south of the building. A large trash enclosure is located on the southwest corner of the site. A chain link fence at the rear of the property will be repaired and remain.

Mass and Scale:

The proposed building height as measured from an existing graded pad to the top roof plate will be 25'-2" with a 3' foot parapet to screen mechanical equipment for a total height of 28'-2". The two-story building will be similar in mass and scale to the adjacent warehouse buildings to the north and south. The building to the south is a metal

structure in a light gray color with a row of windows along the second floor. The building to the north is a wood building clad in stucco with the second story stepped back from the front façade. The proposed building will be similar in height and style. The applicant has prepared a streetscape exhibit to show mass and scale of the new building relative to the existing structures.

Building Design and Detailing:

The simple building design is a square box with a two-story architectural feature to denote the front entry door. The building walls will be a stucco flat surface with one (1") inch architectural breaks providing relief on the east, west, and south facing facades. Scoring of the stucco to provide interest will be placed on three sides to include the front, south side, and rear of the building. A wide roof parapet with a two (2') foot overhang constructed of stucco embossed sandwich panels painted a tan color will cap the building. The main entry is placed in the center of the building with two (2) non-structural steel architectural columns painted an acorn color and a suspended metal awning above the door. A series of four vertical windows located above the front entry will provide light into a second-story hallway. A second service roll-up door is proposed on the front façade to the south of the main entrance. No other windows or doors are proposed on the building.

Landscape Plan:

The landscape plan proposes to add plants along the front entry walkway, adjacent to the building; and within a planter area to the south of the site. The plant legend includes the use of Palo Verde trees, California Fan Palms, along with lower ground cover such as Aloe Vera, Deer Grass, Fence Post cactus, and Mexican Bird of Paradise. Hardscape will include the use of California Gold decomposed granite, boulders and rocks in a tan color. Staff worked with the applicant to devise a landscape plan that will withstand wind, heat, and sun exposure commonly found in the north end of the City.

AAC Review:

The Architectural Advisory Committee (AAC) reviewed the project on June 4, and July 16, 2018 and voted to recommend approval to the Planning Commission. At the June 4th meeting the AAC made several comments relative to building height, landscaping, and minor architectural building details. At the meeting held on July 16th, the applicant submitted revised plans to address the comments of the AAC. One item of concern was the placement of the parking lot to the south of the main building. The AAC determined after reviewing the streetscape exhibit that the siting of the building and parking lot was compatible with the surrounding structures. A vote was taken resulting in a 6-0-1 decision to recommend approval to the Planning Commission with the following comments:

1. Overhang on south to match overhang on the east.
2. Remove Italian Cypress trees and replace with other plant.
3. Trees to be aligned with parking lot striping.

The applicant has submitted revised plans addressing the AAC's comments and recommendations. The fascia at the top of the building on the south elevation matches the width on the east elevation; the Italian Cypress trees have been replaced with a row

of Mexican Bird of Paradise; and the Palo Verde trees along the south property line have been realigned to off-set the tree trunks relative to the parked cars resulting with an increase in the shading of the parking lot.

REQUIRED FINDINGS:

This project's conformance to the architectural guidelines of the Zoning Ordinance is analyzed below.

CONDITIONAL USE PERMIT:

Section 94.02.00 of the Palm Springs Zoning Code (PSZC) requires that the following conditions be met in order to approve a Conditional Use Permit:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

PSZC Section 92.17.01(D)(15) allows for medical or adult-use cannabis cultivation facility, subject to the development standards contained in Section 92.23.15 of the PSZC. The proposed construction of a 10,504-square foot cannabis cultivation facility within the M-1 zone is a permitted use with the approval of a Conditional Use Permit.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject property is MU (Mixed-Use/Multi-Use) located within an industrial park area west of North Indian Canyon Drive, and north of East San Rafael Road with like industrial uses in the near vicinity. The MU area is intended to accommodate a wide variety of business activities in a multi-use environment. The MU designation will provide land uses to include community-servicing retail commercial, professional offices, service businesses, public, and semi-public uses. The proposed cannabis cultivation facility will meet the intended goals of the MU land use designation and the finding has been met.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The proposed building is to be placed along the north property line adjacent to an existing cannabis cultivation facility with a thirteen (13) space parking lot to the south. The structure will have a front yard setback from Anza Road of twenty-five (25') feet with bay parking along the street frontage. The building design is simple and will be consistent with other industrial structures in the immediate

vicinity. The landscape plan will utilize a variety of desert landscaping and meet all required standards. Based upon the proposed site plan the finding has been met.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The flat 15,000-square foot site is located along Anza Road which provides access to the industrial park present within the immediate area. The new building placed along the northern property line is oriented toward the street with bay parking and one (1) driveway leading to a thirteen (13) space parking lot to the south. A traffic analysis was prepared as part of the CEQA Initial Study which determined that the proposed use will have no impact, or less than significant impact on the surrounding roadways and the level of service will not be impacted by this development. Based upon this determination, the finding has been met.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The conditions imposed as part of this Conditional Use Permit are intended to minimize impacts on the surrounding community. The CUP approval will work in conjunction with the Major Architectural approval by the City, and the State of California relative to the business license issued for a Cannabis establishment. The site plan as approved will allow for the orderly development of the parcel as a cannabis cultivation facility.

Architectural Review:

Pursuant to Section 94.04.00(D) of PSZC, specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance is evaluated based on consideration of the following:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*

The proposed cultivation facility is sited on a vacant site; it is appropriate for the industrial park like setting located north of San Rafael Road and west of North Indian Canyon Drive. The new building will be constructed at the appropriate setbacks and be similar in size and scale to existing warehouse buildings in the immediate vicinity. Access to the off-street parking lot will be via one (1) driveway from a local street with bay parking along the building frontage.

Pedestrian access to the site is from existing sidewalks present throughout the immediate area.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The proposed construction of a new two-story 10,504-square foot cannabis cultivation facility within an industrial park like setting is intended for this type of development and will be compatible with the existing warehouse uses. The new structure is being built as a cultivation facility; however, it could be maintained as a warehouse should the use change in the future. The architecture differs from the existing developments in the area, but is not out of character with the variety of designs found in the immediate vicinity. Therefore, the project will have a harmonious relationship within the context of the immediate area and avoid monotonous repetition.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The proposed building is to be placed along the north property line with off-street parking provided in a thirteen (13) space parking lot as well as bay parking along the lot frontage. The structure will have a front yard setback from Anza Road at twenty-five (25') feet and placed on the northern property line along with a rear yard setback of five (5) feet. The maximum height of the building at the top roof plate will be 25'-2" feet with a mechanical screening parapet at 28'-2" feet tall. All equipment will be fully screened from view and the finding has been met.

4. *Building design, materials and colors to be sympathetic with desert surroundings; AND*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously,*
AND
6. *Consistency of composition and treatment,*

The simple building design is a square box with a two-story architectural feature to denote the front entry door. The building walls will be a stucco flat surface with a one (1") inch architectural breaks providing relief on the east, west and south facing facades. Scoring of the stucco to provide interest will be placed on three sides to include the front, south side, and rear of the building. A wide roof parapet with a two (2') foot overhang constructed of stucco embossed sandwich panels painted a tan color will cap the building. The main entry is placed in the center of the building with two (2) non-structural steel architectural columns painted an acorn color and a suspended metal awning above the door. A series

of four vertical windows located above the front entry will provide light into a second-story hallway. A second service roll-up door is proposed on the front façade to the south of the main entrance. The building design will be compatible with the existing warehouse structures in the immediate area and the finding has been met.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The conceptual landscape scheme provides a good selection of appropriate plantings that will utilize a variety of drought tolerant plants to include 24" box Palo Verde trees for parking lot shading and placed in other areas around the site. In addition, all other proposed plants have been chosen so as to withstand the harsh environment relative to high winds, blowing sand, and high heat.

8. *Signs and graphics, as understood in architectural design including materials and colors*

No signage is proposed at this time.

ENVIRONMENTAL DETERMINATION:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measures that would reduce the potential adverse impacts to less than significant levels. Mitigation measures are proposed relative to Cultural Resources.

Cultural:

Mitigation Measure:

1. A qualified Tribal monitor shall be on site during pre-construction phases of the project including all earth moving activities (i.e. including grubbing, grading, trenching, and excavation). The monitor shall identify the resources and determine whether further investigation is required, or whether earth moving can resume. Any identified resources shall be professionally treated and curated, and including in a post-monitoring report provided to the City and associated tribes including the Agua Caliente Band of Cahuilla Indians and the Twenty-Nine Palms Band of Mission Indians.

Monitoring:

1. The project archaeologist and/or Tribal monitor shall prepare a report documenting monitoring activities. The monitoring report shall be submitted to the City within 30 days of completion of grading activities.

The Initial Study was available for public comment for a 20-day period from August 1, 2018 through August 21, 2018. As of the writing of this report, Staff has received two (2) comment letters from the Agua Caliente and Twenty-Nine Palms Tribes regarding cultural monitoring during site grading, and one (1) letter from Sun Line Transit Agency stating that the project will have no negative impact on transit services.

CONCLUSION:

The proposal to construct a 10,560-square foot cannabis cultivation facility on a vacant parcel in an industrial park setting is an appropriate location and meets all the development standards of the PSZC and is in conformance with the General Plan Land Use designation. The CEQA analysis has determined that potential environmental impacts can be mitigated to a level that is less than significant. In addition, findings for a Conditional Use Permit and a Major Architectural Application can be made and based upon these facts Staff recommends approval of the project with conditions.



Glenn Mlaker, AICP
Associate Planner



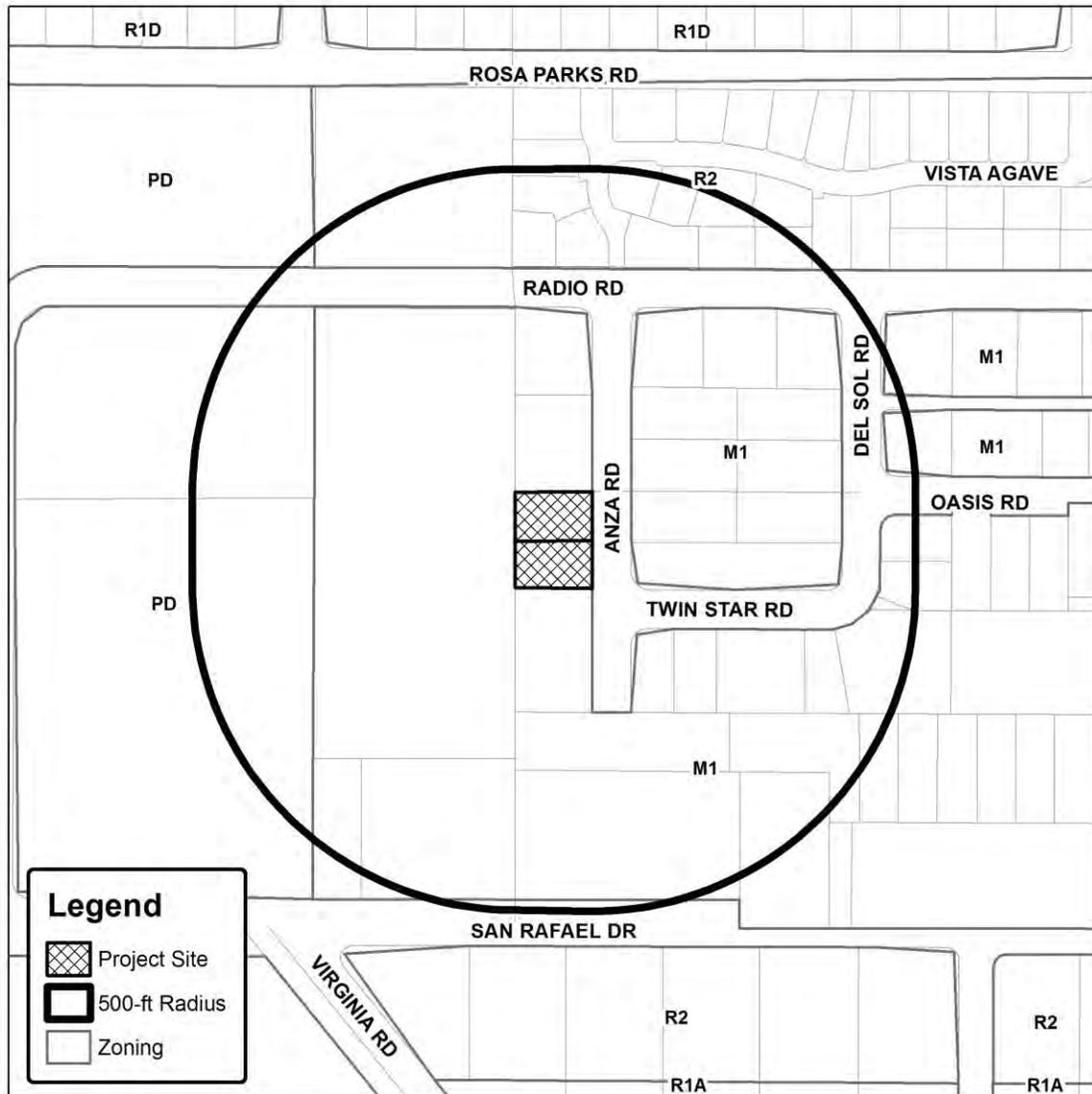
Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Justification Letter
5. Minutes of AAC Meeting – 6/4/2018
6. Minutes of AAC Meeting – 7/16/18
7. Ownership Disclosure
8. Cannabis Business License
9. Initial Study/Mitigated Negative Declaration
10. Material Board
11. 3D Image
12. Site Plan
13. Floor Plan
14. Roof Plan
15. Building Elevations
16. Site Sections
17. Landscape Plan
18. Photometric Plan
19. Streetscape Image



Department of Planning Services Vicinity Map



Legend

- Project Site
- 500-ft Radius
- Zoning

CITY OF PALM SPRINGS

5.1441 CUP & 3.4073 MAJ
3573 North Anza Road
(APN#:669-452-001 & 669-452-002)
Anza Cannabis Cultivation

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT CASE NO. 5.1441 CUP; APPROVING UNDER CEQA A MITIGATED NEGATIVE DECLARATION; AND A MAJOR ARCHITECTURAL APPLICATION CASE NO. 3.4073 MAJ TO CONSTRUCT A 10,504-SQUARE FOOT CANNABIS CULTIVATION FACILITY LOCATED AT 3573 NORTH ANZA ROAD, ZONE M-1.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. Radio PS Properties, LLC. (“Applicant”) has filed a Conditional Use Permit (Case 5.1441 CUP) and a Major Architectural applications (Case 3.4073 MAJ) with the City pursuant to Sections 93.23.15 (Special Standards for Specified Medical Cannabis Facilities), 94.02.00 (Conditional Use Permit); and 94.04.00 (Architectural Review) of the Palm Springs Zoning Code for the construction of a 10,504-square foot cannabis cultivation facility on a 15,000-square foot parcel located at 3573 North Anza Road. (This application, Cases 5.1441 CUP and 3.4073 MAJ, is referred to herein as the “Project”.)
- B. On June 4 and July 16, 2018, the Architectural Advisory Committee reviewed the proposed Project and voted to recommend approval to the Planning Commission with the following comments:
- Overhang on south to match overhang on the east.
 - Remove Italian Cypress and replace with other plant.
 - Trees to be aligned with parking lot stripping.
- C. Notice of a public hearing of the Planning Commission of the City of Palm Springs to consider the Project was given in accordance with applicable law.
- D. On September 12, 2018, the Planning Commission held a public hearing to consider the Project in accordance with applicable law.
- E. The proposed development is a project as defined by the California Environmental Quality Act (CEQA). An initial study was conducted which considered all required CEQA issues, including but not limited to air quality, cultural resources, land use, hydrology and traffic. Potential significant adverse impacts were identified along with Mitigation Measure that would reduce the potential adverse impacts to less than significant levels. Mitigation measures are proposed relative to Cultural Resources.

Cultural:

Mitigation Measure:

1. A qualified Tribal monitor shall be on site during pre-construction phases of the project including all earth moving activities (i.e. including grubbing, grading, trenching, and excavation). The monitor shall identify the resources and determine whether further investigation is required, or whether earth moving can resume. Any identified resources shall be professionally treated and curated, and including in a post-monitoring report provided to the City and associated tribes including the Agua Caliente Band of Cahuilla Indians and the Twenty-Nine Palms Band of Mission Indians.

Monitoring:

1. The project archaeologist and/or Tribal monitor shall prepare a report documenting monitoring activities. The monitoring report shall be submitted to the City within 30 days of completion of grading activities.

F. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project, including, but not limited to, the staff report, the CEQA Initial Study, and all written and oral testimony presented.

G. Pursuant to Section 92.17.01(D)(15) of the M-1 Zone in conformance with Section 94.02.00 of the Palm Springs Zoning Code for a Conditional Use Permit the Planning Commission finds:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

PSZC Section 92.17.01(D)(15) allows for medical or adult-use cannabis cultivation facility, subject to the development standards contained in Section 92.23.15 of the PSZC. The proposed construction of a 10,504-square foot cannabis cultivation facility within the M-1 zone is a permitted use with the approval of a Conditional Use Permit.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject property is MU (Mixed-Use/Multi-Use) located within an industrial park area west of North Indian Canyon Drive, and north of East San Rafael Road with like industrial uses in the near vicinity. The MU area is intended to accommodate a wide variety of business activities in a multi-use environment. The MU designation will provide land uses to include community-servicing retail commercial, professional offices, service businesses,

public, and semi-public uses. The proposed cannabis cultivation facility will meet the intended goals of the MU land use designation and the finding has been met.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The proposed building is to be placed along the north property line adjacent to an existing cannabis cultivation facility with a thirteen (13) space parking lot to the south. The structure will have a front yard setback from Anza Road of twenty-five (25') feet with bay parking along the street frontage. The building design is simple and will be consistent with other industrial structures in the immediate vicinity. The landscape plan will utilize a variety of desert landscaping and meet all required standards. Based upon the proposed site plan the finding has been met.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The flat 15,000-square foot site is located along Anza Road which provides access to the industrial park present within the immediate area. The new building placed along the northern property line is oriented toward the street with bay parking and one (1) driveway leading to a thirteen (13) space parking lot to the south. A traffic analysis was prepared as part of the CEQA Initial Study which determined that the proposed use will have no impact, or less than significant impact on or the surrounding roadways and the level of service will not be impacted by this development. Based upon this determination, the finding has been met.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The conditions imposed as part of this Conditional Use Permit are intended to minimize impacts on the surrounding community. The CUP approval will work in conjunction with the Major Architectural approval by the City, and the State of California relative to the business license issued for a Cannabis establishment. The site plan as approved will allow for the orderly development of the parcels as a cannabis cultivation facility.

- H. Pursuant to Section 94.04.00 of the Palm Springs Zoning Code relative to Architectural review, the Planning Commission finds:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*

The proposed cultivation facility is sited on a vacant site; it is appropriate for the industrial park like setting located north of San Rafael Road and west of North Indian Canyon Drive. The new building will be constructed at the appropriate setbacks and be similar in size and scale to existing warehouse buildings in the immediate vicinity. Access to the off-street parking lot will be via one (1) driveway from a local street with bay parking along the building frontage. Pedestrian access to the site is from existing sidewalks present throughout the immediate area.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The proposed construction of a new two-story 10,504-square foot cannabis cultivation facility within an industrial park like setting is intended for this type of development and will be compatible with the existing warehouse uses. The new structure is being built as a cultivation facility however it could be maintained as a warehouse should the use change in the future. The architecture differs from the existing developments in the area, but is not out of character with the variety of designs found in the immediate vicinity. Therefore, the project will have harmonious relationship within the context of the immediate area and avoid monotonous repetition.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The proposed building is to be placed along the north property line with off-street parking provided in a thirteen (13) space parking lot as well as bay parking along the lot frontage. The structure will have a front yard setback from Anza Road at twenty-five (25') feet and placed on the northern property line along with a rear yard setback of five (5) feet. The maximum height of the building at the top roof plate will be 25'-2" feet with a mechanical screening parapet at 28'-2" feet tall. All equipment will be fully screened from view and the finding has been met.

4. *Building design, materials and colors to be sympathetic with desert surroundings;
AND*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously,
AND*
6. *Consistency of composition and treatment,*

The simple building design is a square box with a two-story architectural feature to denote the front entry door. The building walls will be a stucco flat surface with a one (1") inch architectural breaks providing relief on the east, west and south facing facades. Scoring of the stucco to provide interest will be placed on three sides to include the front, south side, and rear of the building. A wide roof parapet with a two (2') foot overhang constructed of stucco embossed sandwich panels painted a tan color will cap the building. The main entry is placed in the center of the building with two (2) non-structural steel architectural columns painted an acorn color and a suspended metal awning above the door. A series of four vertical windows located above the front entry will provide light into a second-story hallway. A second service roll-up door is proposed on the front façade to the south of the main entrance. The building design will be compatible with the existing warehouse structures in the immediate area and the finding has been met.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The conceptual landscape scheme provides a good selection of appropriate plantings that will utilize a variety of drought tolerant plants to include 24" box Palo Verde trees for parking lot shading and placed in other areas around the site. In addition, all other proposed plants have been chosen so as to withstand the harsh environment relative to high winds, blowing sand, and high heat.

8. *Signs and graphics, as understood in architectural design including materials and colors*

No signage is proposed at this time.

THE PLANNING COMMISSION RESOLVES:

That the findings and determinations reflected above are true and correct, and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolution. Based upon the foregoing, the Planning Commission hereby approves Case Nos. 5.1441 CUP and 3.4073 MAJ and approves a Mitigated Negative Declaration, for the construction of a 10,504-square foot cannabis cultivation facility on a 15,000-square foot vacant lot at 3573 North Anza Road, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 12th day of September, 2018.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Conditional Use Permit Case 5.1441 CUP
Major Architectural Case 3.4073 MAJ

Radio PS Properties LLC – Cannabis Cultivation Facility

3573 North Anza Road

September 12, 2018

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1441 CUP and 3.4073 MAJ;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped August 30, 2018, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City, County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of

Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1441 CUP and 3.4073 MAJ, or MND. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 7. Time Limit on Approval. Approval of the Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the approval (Tentative Tract Map).

ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total

building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers (conditional use permits only)

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the mitigated negative declaration or EIR will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are defined in the CEQA Evaluation and summarized here as follows:

Cultural:

Mitigation Measure:

1. A qualified Tribal monitor shall be on site during pre-construction phases of the project including all earth moving activities (i.e. including grubbing, grading, trenching, and excavation). The monitor shall identify the resources and determine whether further investigation is required, or whether earth moving can resume. Any identified resources shall be professionally treated and curated, and including in a post-monitoring report provided to the City and associated tribes including the Agua Caliente Band of Cahuilla Indians and the Twenty-Nine Palms Band of Mission Indians.

Monitoring:

1. The project archaeologist and/or Tribal monitor shall prepare a report documenting monitoring activities. The monitoring report shall be submitted to the City within 30 days of completion of grading activities.

ENV 3. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning

Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.

- PLN 3. Licensing: Radio PS Properties, LLC shall remain in compliance with all City regulations relative to Cannabis Cultivation and Dispensary licensing regulations.

Conditions imposed by Planning Commission

- PLN 4. Add here

POLICE DEPARTMENT CONDITIONS

- POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

- BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

FIRE DEPARTMENT CONDITIONS

- FID 1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the site plan stamped received on January 23, 2018. Additional requirements may be required at that time based on revisions to plans. Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review.
- FID 2. Fire Department Conditions were based on the *2016 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code, PSFD Appendix "O" Development Requirements and latest adopted NFPA Standards. Three (3) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal. No deferred submittals accepted.
- FID 3. **PLANS AND PERMITS (CFC 105.1)**
- Permits and scaled drawings are required for this project. Plan reviews can take up to 20 working days. Submit a minimum of three (3) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

- FID 4. **Building and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- FID 5. **Surface (CFC 503.2.3):** 24 foot minimum fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- Fire Lanes – signage and/or curb markings required

- FID 6. **Fire Flow Requirements (CFC Appendix B):** Fire flow requirement for this project is 1,000 GPM for a 2-hour duration.
- FID 7. **Turning Radius (CFC 503.2.4):** Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet. Radius must be concentric.
- FID 8. **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.
- FID 9. **Required Water Supply (CFC 507.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
- FID 10. **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 11. **Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

FDC SERVES
3573 Anza Road
[Designated Buildings Served]

- FID 12. **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & Table C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.
- Maximum distance from any point on street frontage to a public hydrant – 250 feet.
 - Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to an during construction.
- FID 13. **NFPA 13 Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13, 2013 Edition, as modified by local ordinance.
- FID 14. **Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level.
- FID 15. **Hazardous Materials (CFC 5004.1):** Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

Project Note: Provide hazardous materials storage plan as prepared by a fire protection consulting firm approved by the fire department. Consult with fire department on reporting quantities

Project Note: Contact Riverside County Department of Environmental Health (Haz-Mat) for permitting requirements

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. All improvements are subject to inspection and a 24 to 48 hour inspection notification is required.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Services Department. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. A completed Medical Marijuana Cultivation – Waste discharge form, and all required supporting documents must be submitted for review and approved. A copy of the approved form shall be provided to the City Engineer prior to the issuance of permits.
- ENG 4. Applicant shall coordinate with Desert Water Agency (DWA) at the earliest stages of the proposed project to obtain a Will Serve letter and coordinate an inspection to determine the proper Backflow protection. A copy of DWA approval shall be provided to the City Engineer prior to the issuance of permits.

ANZA ROAD

- ENG 5. Remove the existing curb and gutter located 18 feet west of centerline and replace with a 6 inch curb and gutter to accommodate bay parking approach located 18 feet west of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 6. Construct driveway approach to accommodate bay parking stalls along the Anza Road frontage in accordance with City of Palm Springs Standard Drawing No. 201. Bay parking stalls shall be located completely on-site, behind sidewalk, and not within public right-of-way.
- ENG 7. The minimum pavement section shall be 2½ inches of asphalt concrete pavement over 4 inches of crushed miscellaneous base.
- ENG 8. Remove and replace existing asphalt concrete pavement where required, in accordance with applicable City standards.
- ENG 9. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ON-SITE

- ENG 10. The on-site layout of drive aisles and parking spaces is subject to further review and approval by the City Engineer. Adjustment of proposed street alignments, and deletion or relocation of proposed parking spaces may be required during review and approval of construction plans for on-site improvements, as required by the City Engineer. Approval of the preliminary site plan does not constitute approval of the on-site layout of streets and parking spaces as proposed.
- ENG 11. For on-site bay parking in residential and commercial zones, paving material shall be decorative paving, colored and/or patterned to relate to the overall design in accordance with Zoning Code 93.06.00.C.15.e.
- ENG 12. The minimum pavement section for all on-site pavement (drive aisles and parking spaces) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 13. A clearly designated pedestrian walkway of adequate width shall be provided to centralize a location for pedestrians entering or leaving the retail areas and accessing the retail parking.

SANITARY SEWER

- ENG 14. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

GRADING

- ENG 15. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Services Department for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.
- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Services Department for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella

Valley Best Available Control Measures” as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant’s or its contractor’s Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Services Department with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related “PM10” Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Services Department prior to approval of the Grading plan.

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the project-specific Final Water Quality Management Plan.

ENG 16. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist (a copy of the written approval must be provided to the City) . The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at ACBCI-THPO@aguacaliente.net to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 17. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 18. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the

perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

- ENG 19. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 20. Prior to issuance of grading permit, the applicant shall provide verification to the City that the Tribal Habitat Conservation Plan (THCP) fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the THCP.
- ENG 21. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 22. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Services Department with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 23. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Services Department prior to construction of any building (or structure) foundation.
- ENG 24. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is

located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 25. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 26. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.

DRAINAGE

- ENG 27. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff

mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.

ENG 28. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$7110.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

ENG 29. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

ENG 30. All proposed utility lines shall be installed underground.

ENG 31. The record property owner shall enter into a covenant agreeing to underground all of the existing overhead utilities required by the Municipal Code in the future upon request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the applicant prior to issuance of any grading or building permits.

ENG 32. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 33. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.

ENG 34. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing “as-built” information and returned to the Engineering Services Department prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 35. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 36. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

MAP

ENG 37. The existing parcels identified as Lots 29 and 30 of the Wright and Leonard Tract Map, Map Book 23, Page 83, shall be merged. An application for a parcel merger shall be submitted to the Engineering Services Department for review and approval. A copy of a current title report and copies of record documents shall be submitted with the application for the parcel merger. The application shall be submitted to and approved by the City Engineer prior to issuance of building permit.

TRAFFIC

ENG 38. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks. Minimum clearance on public sidewalks shall be provided by either an additional dedication of a sidewalk easement if necessary and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.

ENG 39. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.

ENG 40. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 “Temporary Traffic

Control” of the California Manual on Uniform Traffic Control Devices (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.

ENG 41. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

END OF CONDITIONS

JUSTIFICATION LETTER

SITE ADDRESS

3573 N. ANZA ROAD
PALM SPRINGS, CA 92262

PROJECT DESCRIPTION

We are proposing a completely new two story 10,504 square foot metal constructed cannabis cultivation facility at the undeveloped property addressed as 3573 N. Anza Road. The site is to consist of two recently merged parcels. The building is to have a front East orientation and to be situated on lot 30 of the two merged parcels. The parking will be provided directly off of Anza Road as well as via a parking lot to be situated on lot 29 of the merged parcels. The parking stalls directly off of Anza Road will have a beautiful decorative stamped concrete finish. We are proposing providing 21 parking spaces, which is 8 more than required, to allow for future change of use flexibility. We are proposing a trash enclosure to the rear south west corner of the property. The trash enclosure will have a stucco finish to match the colors of the building. The site will be beautifully landscaped to accent the natural desert environment. We believe the project will have little to no environmental impact due to its cultivation use which will be based on the growth of cannabis in an indoor environment.

PROJECT INFORMATION

The proposed project will employ five individuals who will oversee the cannabis cultivation on a daily basis from the hours of 7:00 am to 3:30pm. The owners of this proposed development also own the cultivation facility site directly adjacent to this site to the North, and are currently licensed to cultivate cannabis in the City of Palm Springs.

FINDINGS

The proposed project was designed to conform with the city of Palm Springs zoning regulations for the M-1 zone which it is located. It has also been designed to conform with the local cannabis facility regulations. We have design the proposed structure to blend and reflect the natural environment which surrounds it. The surrounding area consists of both industrial, and commercial structures which have features that do not particularly fit the natural Palm Springs environment. Rather than blending in with the surrounding structures we took a more natural approach to our development by implementing natural desert tones, and landscape accents. We woud like to ask for flexibilty in the height of our building to allow for flexibility of future change of use, as well as to help block the view of all rooftop equipment. The setbacks are proposed to meet the M-1 zone standards. We are proposing to use stucco embossed steel panels, to provide the building with a natural stucco look, while still maintaining the metal structural design. We propose to break up the massing of the building by using architectural joints. We may also break up the massing by variation of colors if the need presents itself. We are also proposing a mansard style parapet to break up the massing and allow for variation in color accents. The landscape features of the proposed site are in context with the natural desert environment, and help to accent the building and give it a more natural feel. The use of signage on the building is yet to be determined, but we probably will not include any signage other than a physical building address, as there would be no need to advertise the use of the building.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lawrence Gordon', written in a cursive style.

Lawrence Gordon

Project Representative

Chair Song said the front approach is very exposed and needs planters or steps. Ms. Song noted that the contrast of the crushed rock materials needs to be softened.

Member Jakway supports moving the house back 18" to provide an 18' driveway.

Cassady, seconded by Lockyer to continue, subject to:

1. Incorporating the AAC comments.
2. Renderings to reflect colors that have been approved by the HOA.

AYES: Jakway, Lockyer, Rotman, Cassady, Song

ABSTAIN: Doczi, McCoy

4. RADIO PS PROPERTIES, LLC FOR A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A TWO-STORY, 10,504 SQUARE FOOT CANNABIS CULTIVATION FACILITY LOCATED AT 3573 NORTH ANZA ROAD, ZONE M-1, SECTION 34 (CASE 3.4073 MAJ). (GM)

Associate Planner Mlaker presented the proposed construction of a two-story cannabis cultivation facility as outlined in the staff memorandum.

Member Rotman questioned the location of building to the north.

BURKS BUTLER, project manager for Lawrence Gordon, was available to answer questions.

Member McCoy questioned the hand railing at the front entry; and if the chain link is consistent with other buildings in the development.

Member Jakway questioned if there is a loading dock or loading space- (yes, at the rear). He asked what kind security is needed- (same as building to the north).

Vice Chair Cassady verified the security requirements.

Chair Song questioned the use of parapets on the exterior- (to screen mechanical equipment); verified materials on exterior of building and exterior doors. Ms. Song questioned if he would be amenable to bringing the stucco down to the 2nd floor.

Member Rotman questioned what the reason is for the 14' floor-to-floor height.

Member Jakway questioned why 46 condensers are needed and what the height of the building is next door.

Comments:

Member Jakway said the building is very bulky and thinks it would be better to slide the building to the south so that it abuts the taller building. He thinks rolling overhead doors would be more appropriate (south doors).

Member Doczi said the pavers at the front should be labeled on the plan. He thinks the landscape plan could be simplified; the trees/landscape materials should be labeled. The materials are not shown at the proper scale; railings should be redesigned in a more aesthetic fashion rather than just vertical form; and proportions of canopy over door should match rendering.

Member McCoy said the plant palette should be simplified for a more cohesive composition. He thinks pavers would be a better choice for spaces in front.

Member Rotman thinks there are some architectural elements that are a little clumsy: the railings on either side of the walkway, the curved canopy, the parapet seems heavy; the building is very tall and bulky. He said reducing the size of the building would help a lot.

Member Lockyer said the elevation needs to include the adjacent buildings for scale comparison. The landscape plan needs to be redesigned and simplified. The arched canopy does not fit the architecture of the building and recommended reducing the height of the building by lowering the front section.

Vice Chair Cassady is also concerned with the height of the building and the curved canopy does not match the architecture.

Chair Song said a willowy tree at the front of the building could mask the bulk/height of the building. Ms. Song said overall they need to see exhibits with adjacent buildings and the project needs additional work.

Song, seconded by Lockyer to continue subject to incorporating the AAC comments.

AYES: Doczi, Jakway, Lockyer, McCoy, Rotman, Cassady, Song

Member Jakway said drawings are inconsistent and the AAC can't approve an inconsistent drawing package.

Member Rotman said color should be a warmer tone not a cooler tone and lighting in eave should be shielded properly.

Vice Chair Jakway said sliding door and garage door should have setback or eyebrow.

Cassady, seconded by Rotman to continue to incorporate comments provided by the AAC; and

1. Provide final color approval by HOA.
2. Revise drawings to reflect changes.

AYES: Doczi, Lockyer, McCoy, Rotman, Vice Chair Jakway, Cassady

ABSENT: Song

4. RADIO PS PROPERTIES, LLC FOR A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A TWO-STORY, 10,504-SQUARE FOOT CANNABIS CULTIVATION FACILITY LOCATED AT 3573 NORTH ANZA ROAD, ZONE M-1, SECTION 34 (CASE 3.4073 MAJ). (GM)

Associate Planner Mlaker recapped the AAC's comments and suggestions from the initial review on June 4th.

Vice Chair Jakway verified if the bay parking complies with code- (yes).

LAWRENCE GORDON, applicant, spoke about the changes to the project based on the comments provided by the AAC.

Public Comment:

ROBERT HIMBAUGH, said the aroma from the cultivation of cannabis impacts the residents and business owners; and would like this issue addressed.

PAUL HENRICKSON, Upper West Side Neighborhood, chair, said cannabis odor is already an issue in the north end; and it's imperative to consider how their ventilation systems trap off the gassings.

Member Jakway supports the building in proposed location based on adjacent elevations.

Member Rotman asked verified that the roll-up door is commercial- (yes).

Vice Chair Jakway questioned why the parking spaces are in excess of the code- (for

flexibility in future uses).

The applicant responded to the concerns about the cannabis odors.

AAC Comments:

Member McCoy said the landscape plan has greatly improved and integrates with other facilities in area. He thinks the plantings should be adjusted relative to the site lighting.

Member Rotman thinks the changes made to the overall project have been very positive.

Member Doczi requested the trees be shown of the actual diameter (20') on the landscape plan; center tree trunks with the parking spaces so that the trunks fall in between cars rather than in front of the bumper of the car; and down size the Deer Grass from 15 gallon to 5 gallon because it's a fast growing plant.

Member Lockyer said project is in harmony with adjacent development.

Vice Chair Jakway said that the soffit on the south side should be the same as on east side and the five Italian Cypress look odd and could be eliminated.

Jakway, seconded by Doczi to approve with conditions:

1. Overhang on south to match overhang on the east.
2. Remove Italian Cypress and replace with wider canopy trees (not 1 for 1).
3. Trees be aligned with park lot striping.

AYES: Doczi, Lockyer, McCoy, Rotman, Vice Chair Jakway, Cassady
ABSENT: Song

5. **WOODBIDGE PACIFIC GROUP, LLC, REQUESTING APPROVAL OF FINAL DEVELOPMENT PLANS FOR 44 SINGLE-FAMILY RESIDENTIAL UNITS FROM A PREVIOUSLY APPROVED PRELIMINARY PLANNED DEVELOPMENT DISTRICT (PDD 290) IN PHASE 1 OF THE MIRALON DEVELOPMENT LOCATED AT 801 SUNRISE WAY, ZONE PDD 290, SECTION 35 (CASE 5.0982-PD 290 / TTM 31848-1). (ER)**

Principal Planner Robertson provided an overview on the revisions to the proposed development.

TODD CUNNINGHAM, provided details on the revisions to the elevation designations and colors.

Member Doczi requested additional information on typical landscape plans and verified



**Secretary of State
Statement of Information
(Limited Liability Company)**

LLC-12

18-B75475

FILED

In the office of the Secretary of State
of the State of California

MAY 21, 2018

This Space For Office Use Only

IMPORTANT — Read instructions before completing this form.

Filing Fee — \$20.00

**Copy Fees — First page \$1.00; each attachment page \$0.50;
Certification Fee - \$5.00 plus copy fees**

1. Limited Liability Company Name (Enter the exact name of the LLC. If you registered in California using an alternate name, see instructions.)

RADIO P.S. PROPERTIES, LLC

2. 12-Digit Secretary of State File Number **3. State, Foreign Country or Place of Organization (only if formed outside of California)**

201611710185

CALIFORNIA

4. Business Addresses

| | | | |
|---|--|--------------------|--------------------------|
| a. Street Address of Principal Office - Do not list a P.O. Box 3535 Anza Rd | City (no abbreviations) Palm Springs | State CA | Zip Code 92262 |
| b. Mailing Address of LLC, if different than Item 4a 3540 N Anza Rd | City (no abbreviations) Palm Springs | State CA | Zip Code 92262 |
| c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box 3535 Anza Rd | City (no abbreviations) Palm Springs | State CA | Zip Code 92262 |

5. Manager(s) or Member(s)

If no managers have been appointed or elected, provide the name and address of each member. At least one name and address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (see instructions).

| | | | |
|---|--|--------------------|--------------------------|
| a. First Name, if an individual - Do not complete Item 5b | Middle Name | Last Name | Suffix |
| b. Entity Name - Do not complete Item 5a Kibby Family Trust | | | |
| c. Address 1717 E Vista Chino A7-613 | City (no abbreviations) Palm Springs | State CA | Zip Code 92262 |

6. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL — Complete Items 6a and 6b only. Must include agent's full name and California street address.

| | | | |
|---|--|---------------------------|--------------------------|
| a. California Agent's First Name (if agent is not a corporation) Lauri | Middle Name | Last Name Kibby | Suffix |
| b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box 1717 E Vista Chino A7-613 | City (no abbreviations) Palm Springs | State CA | Zip Code 92262 |

CORPORATION — Complete Item 6c only. Only include the name of the registered agent Corporation.

| |
|---|
| c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 6a or 6b |
|---|

7. Type of Business

| |
|---|
| a. Describe the type of business or services of the Limited Liability Company Real Estate |
|---|

8. Chief Executive Officer, if elected or appointed

| | | | |
|-------------------------|-------------|-----------|----------|
| a. First Name | Middle Name | Last Name | Suffix |
| b. Address | | | |
| City (no abbreviations) | | State | Zip Code |

9. The information contained herein, including any attachments, is true and correct.

05/21/2018

Lauri Kibby

Trustee

Date

Type or Print Name of Person Completing the Form

Title

Signature

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)

Name: []

Company:

Address:

City/State/Zip: []



**Attachment to
Statement of Information
(Limited Liability Company)**

**LLC-12A
Attachment**

18-B75475

A. Limited Liability Company Name

RADIO P.S. PROPERTIES, LLC

This Space For Office Use Only

B. 12-Digit Secretary of State File Number

201611710185

C. State or Place of Organization (only if formed outside of California)

CALIFORNIA

D. List of Additional Manager(s) or Member(s) - If the manager/member is an individual, enter the individual's name and address. If the manager/member is an entity, enter the entity's name and address. Note: The LLC cannot serve as its own manager or member.

| First Name | Middle Name | Last Name | Suffix |
|--|-------------|--------------------------------------|-------------|
| Entity Name Paradise Holdings Management Inc. | | | |
| Address 5694 Mission Center Rd Ste 602-110 | | City (no abbreviations) San Diego | State CA |
| Zip Code 92108 | | | |
| First Name | Middle Name | Last Name | Suffix |
| Entity Name | | | |
| Address | | City (no abbreviations) | State |
| Zip Code | | | |
| First Name | Middle Name | Last Name | Suffix |
| Entity Name | | | |
| Address | | City (no abbreviations) | State |
| Zip Code | | | |
| First Name | Middle Name | Last Name | Suffix |
| Entity Name | | | |
| Address | | City (no abbreviations) | State |
| Zip Code | | | |
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| Zip Code | | | |
| First Name | Middle Name | Last Name | Suffix |
| Entity Name | | | |
| Address | | City (no abbreviations) | State |
| Zip Code | | | |
| First Name | Middle Name | Last Name | Suffix |
| Entity Name | | | |
| Address | | City (no abbreviations) | State |
| Zip Code | | | |



City of Palm Springs

Office of the City Attorney

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: 760.323.8205 • Fax: 760.322.8332 • TDD 760.864.9527 • www.palmspringsca.gov

VIA HAND DELIVERY

February 22, 2018

Ms. Julie Montante
JM Endeavors, Inc.
3585 Del Sol Road
Palm Springs, California 92262

Re: **Cannabis Related Businesses and Activities Permit
Application Case No. C-2017-011 re 3573 N. Anza Road**

Dear Ms. Montante,

Congratulations on the City's issuance of your cannabis related businesses and activities permit, and thank you for choosing to do business in the City of Palm Springs. As you know, recent Ordinances 1933 and 1935 allowed you to secure this permit, and commence operations at such point in time when you have secured all necessary City approvals. As you know, your operations pursuant to this permit are only lawful to the extent that they are consistent with all applicable State law, and you are specifically admonished that the adult-use permit now issued may not be used or relied upon by you until State law allows.

While we are issuing your permit please be advised that the City has not provided the approvals necessary to proceed with operations. Unfortunately, based upon your submittal, City staff could not deem your application "complete." In an effort to issue you a permit to proceed with your State application you understand that you must agree to comply with all terms and conditions determined by the City and the issuance of a land use permit and environmental review. Further, as your permit indicates, you may not operate the permitted business, regardless of the permit and/or any business license you may secure, until and unless the City issues you a certificate of occupancy.

With the issuance of your license for cultivation, your operations are subject to the following conditions pursuant to 5.45.096 and 5.55.096:

- The cultivation, as proposed, will comply with all of the requirements of the State and City for the cultivation of cannabis;
- The cultivation complies with the locational requirements of the Zoning Ordinance;
- The cultivation, as approved and conditioned, will not result in significant unavoidable impacts on the environment;

Post Office Box 2743 • Palm Springs, California 92263-2743

RECEIVED
APR 10 2018
PLANNING SERVICES
DEPARTMENT

S. 1441

- The cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site;
- The cultivation includes adequate measures to address the projected energy demand for cannabis cultivation on the site;
- The cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets industry standards;
- The cultivation includes adequate measures that address the federal enforcement priorities for cannabis activities, including restricting access to minors, prohibiting use or possession of firearms for security purposes at the premises, and ensuring cannabis and cannabis products are not supplied to unlicensed and unpermitted persons within the State and not distributed out of State; and
- The cultivation site shall allow access to the cultivation facilities and records if requested by the City and shall pay for an annual inspection in an amount determined by City Council Resolution.

Further, your company shall indemnify, defend and hold the City harmless from any and all claims and proceedings relating to the approval of the permit relating to any damage to property or persons stemming from the cannabis business activity. You must provide to the City within thirty (30) days of issuance of your City permit, your seller's permit number.

As a reminder, you are still bound to pay the City's permit fees, once they are made public, pursuant to the documentation that you filed with your application. If you have any questions regarding the terms and provisions of the issuance of your permit, please feel free to contact me.

If you have any questions regarding the terms and provisions of the issuance of your permit, please feel free to contact me.

Very Truly Yours,

THE CITY OF PALM SPRINGS



Edward Z. Kotkin
City Attorney

EZK:vg

CITY OF PALM SPRINGS
CANNABIS RELATED BUSINESSES AND ACTIVITIES PERMIT
 3200 E TAHQUITZ CANYON WAY, PALM SPRINGS, CALIFORNIA 92262 (760) 323-8239

THIS PERMIT CERTIFIES THAT: **JM ENDEAVORS, INC.**

Approved for and by the authority of the City Manager of the City of Palm Springs,

| | |
|--|---|
| Project Address: 3573 N. Anza Road, Palm Springs, California 92262 | |
| Owner Name: JM Endeavors, Inc. Julie Montante | Phone: (760) 250-6477 |
| <i>Has been granted a PERMIT to operate the following business/es under City Ordinance No. 1933, otherwise known as the RELATED AND BUSINESSES AND ACTIVITIES ORDINANCE of the City of Palm Springs, subject to the provisions of other pertinent laws, ordinances and related administrative regulations.</i> | |
| <input type="checkbox"/> 5.45.095/5.55.095 Dispensary <input type="checkbox"/> 5.45.097/5.55.097 Manufacturing <input type="checkbox"/> 5.45.098/5.55.098 Testing Facility <input type="checkbox"/> 5.45.099/5.55.099 Transportation and Distribution | <input checked="" type="checkbox"/> 5.45.096/5.55.096 Cultivation <input type="checkbox"/> Type 1 Specialty Outdoor <input type="checkbox"/> Type 1A Specialty Indoor <input type="checkbox"/> Type 1B Specialty Mixed Light <input type="checkbox"/> Type 2 Small Outdoor <input checked="" type="checkbox"/> Type 2A Small Indoor <input type="checkbox"/> Type 3 Outdoor <input type="checkbox"/> Type 3A Indoor <input type="checkbox"/> Type 3B Mixed Light <input type="checkbox"/> Type 4 Nursery |
| Description: Commercial Medical and Adult-Use Cannabis Cultivation. | |

this 08 day of February, 2018.

Application Case No.: C-2017-011

By: 
 David H. Ready, Esq., Ph.D.,
 City Manager



City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

| | | |
|--|---|--|
| Project Title: | Anza Cannabis Cultivation Facility | |
| Case No.: | 5.1441 CUP and 3.4073 MAJ | |
| Assessor's Parcel No. | 669-452-001 and -002 | |
| Lead Agency Name and Address: | City of Palm Springs 3200 E Tahquitz Canyon Way Palm Springs, CA 92262 | |
| Project Location: | 3573 N. Anza Road Palm Springs, CA 92262 | |
| Project Sponsor's Name and Address: | Radio PS Properties, LLC c/o Lauri Kibby | 1717 E. Vista Chino A7-613 Palm Springs, CA 92262 |
| General Plan Designation(s): | Mixed Use/Multi Use | |
| Zoning Designation: | Service/Manufacturing M-1 | |
| Contact Person: | Radio PS Properties, LLC c/o Lauri Kibby 1717 E. Vista Chino A7-613 Palm Springs, CA 92262 | |
| Date Prepared: | June 2018 | |

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CHAPTER 1: INTRODUCTION AND PROJECT DESCRIPTION

Project Description:

The approximately 0.34 gross-acre project proposes the development of a two-story, 10,504-square-foot cultivation facility with associated improvements. The site consists of two recently merged parcels located at 3573 North Anza Road in the City of Palm Springs. The project site is currently characterized as a vacant lot that is being used as employee parking for surrounding businesses. The land use designation for the project area and surrounding vicinity is Mixed Use/Multi Use. This land use designation is intended for community-serving retail, commercial, professional offices, service businesses, restaurants, daycare centers, public and quasi-public uses. The project also resides within the service/manufacturing (M-1) zone which is intended to provide for the development of service industries for commercial and hotel uses and for industrial uses. Cannabis cultivation is permitted within M-1 zones in Palm Springs with the submission of a Conditional Use Permit and Regulatory Permit.

Surrounding uses north, east and south of the project property includes service/manufacturing facilities that vary from one and two-stories. Immediately west-adjacent of the project site is an approximately 5.23 acre vacant lot. The vacant lot is separated from the project site by barbed wire fencing. In addition to barbed wire fencing, overhead distribution power lines runs parallel to the western property boundary.

The proposed two-story cultivation building will be situated on the northwest corner of the lot, with landscaping and a pedestrian sidewalk lining the east and south building frontages. At total buildout, the facility will be 10,504 square feet, with the first and second floor covering 5,252 square feet each. Project design includes stucco embossed steel panels painted greenmount silk, and barley. One inch architectural breaks are also proposed on the east and south building frontages in order to avoid the use of long, blank walls. The main entrance will be located on the east building frontage, while the equipment loading area will be located on the south side of the building. Metal awnings, painted Greenfield pumpkin, will hang over the building entrances. The height of the proposed facility intends to be 32 feet 10 inches.

Nine parking spaces will lie directly perpendicular to North Anza Road, and will have a six (6) inch decorative stamped concrete finish. The remaining 12 parking stalls, one being an ADA designated space, will be located south of the facility. A trash enclosure will be located on the southwest corner of the property, and will have a stucco finish to match the colors of the building.

Landscaped features are proposed on the east and south building frontages, throughout the parking lot, and along the southern property boundary. The landscaping will consist of drought-tolerant plants and trees, including Mexican Fan Palms, California Fan Palms, Juniper, and Palo Verde. The landscape will have dual purposes by attributing to the natural desert environment, and providing shade for cars and pedestrians. The proposed landscaping will be limited to an approved plant palette that is harmonious with the existing landscape design and streetscape conditions.

The project site is located in FEMA Flood Zone X (shaded), which are areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile and areas protected by levees from one percent annual chance flood. The project is designed to slope to the south and east of the property. The runoff flow to the south

is intended to be treated at the south-lying landscaped retention basin and drywell. This approximately 0.02-acre basin and drywell are designed to hold a runoff volume of 383 cubic feet. The runoff directed to the east property boundary will travel off-site to North Anza Road and south.

The project intends to comply with the City of Palm Springs's standards and ordinances for cannabis cultivation facilities within service/manufacturing zones.

Other public agencies whose approval is required:

- Regional Water Quality Control Board (RWQCB)
- Riverside County Flood Control (RCFC)
- Colorado River Basin Regional Water Control Board
- Desert Water Agency (DWA)



RADIO ROAD

ANZA ROAD

DEL SOL ROAD

Project Site

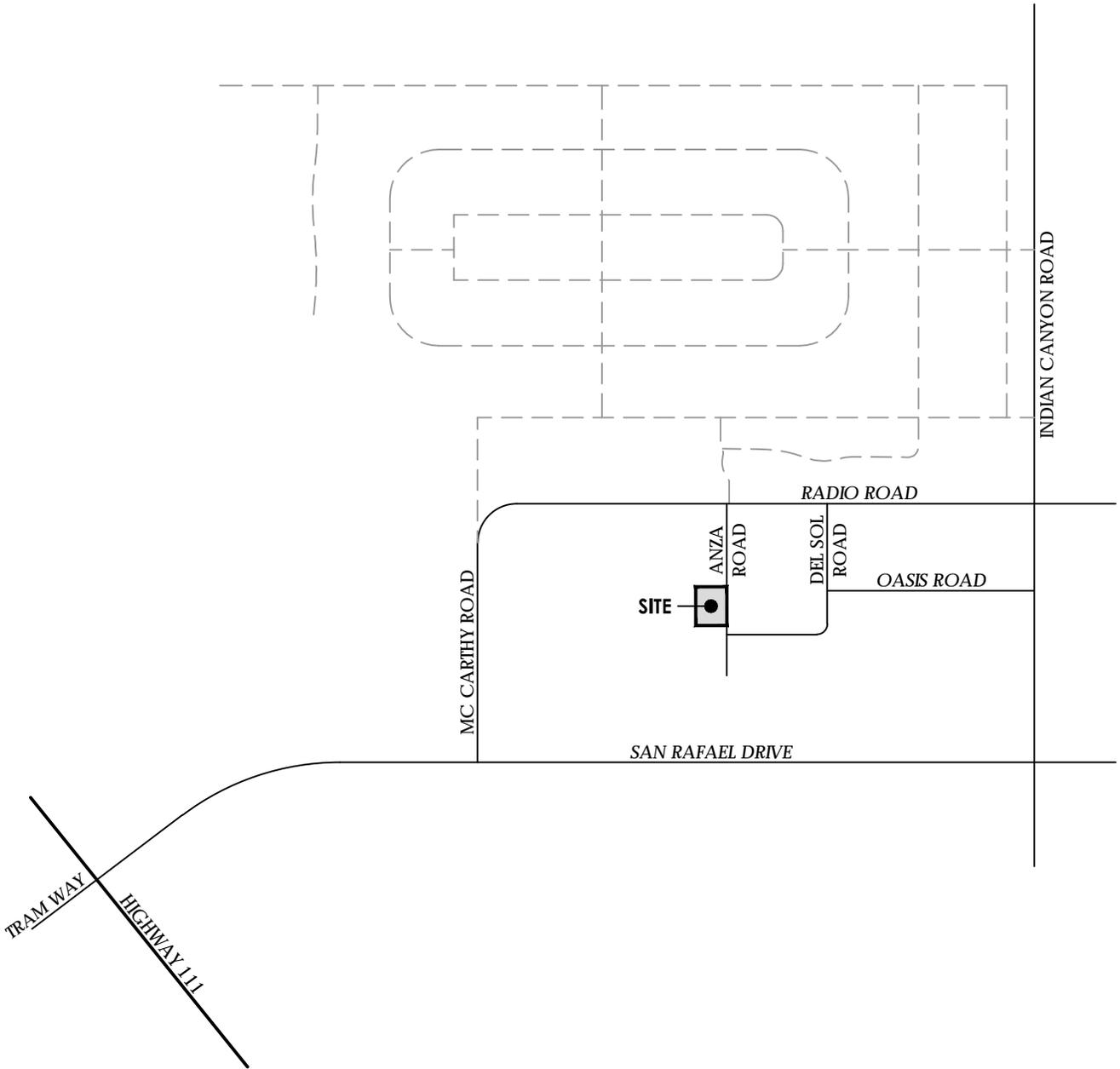
DEL SOL ROAD



MSA CONSULTING, INC.
> PLANNING > CIVIL ENGINEERING > LAND SURVEYING
34200 Bob Hope Drive, Rancho Mirage, CA 92270
P 760.320.9811 msaconsultinginc.com

AERIAL PHOTOGRAPH EXHIBIT

JUNE 1, 2018



CHAPTER 2: ENVIRONMENTAL ANALYSIS AND DETERMINATION

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | | | | |
|--------------------------|------------------------------------|-------------------------------------|------------------------------------|--------------------------|-----------------------------|
| <input type="checkbox"/> | Aesthetics | <input type="checkbox"/> | Agriculture and Forestry Resources | <input type="checkbox"/> | Air Quality |
| <input type="checkbox"/> | Biological Resources | <input checked="" type="checkbox"/> | Cultural Resources | <input type="checkbox"/> | Geology / Soils |
| <input type="checkbox"/> | Greenhouse Gas Emissions | <input type="checkbox"/> | Hazards & Hazardous Materials | <input type="checkbox"/> | Hydrology / Water Quality |
| <input type="checkbox"/> | Land Use / Planning | <input type="checkbox"/> | Mineral Resources | <input type="checkbox"/> | Noise |
| <input type="checkbox"/> | Population / Housing | <input type="checkbox"/> | Public Services | <input type="checkbox"/> | Recreation |
| <input type="checkbox"/> | Transportation/Traffic | <input type="checkbox"/> | Tribal Cultural Resources | <input type="checkbox"/> | Utilities / Service Systems |
| <input type="checkbox"/> | Mandatory Findings of Significance | | | | |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

| | |
|-------------------------------------|--|
| <input type="checkbox"/> | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| <input checked="" type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| <input type="checkbox"/> | I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

| | |
|---|--------------------------|
|  _____ Signature | 7/19/18 _____ Date |
|---|--------------------------|

Environmental Checklist and Discussion:

The following checklist evaluates the proposed project’s potential adverse impacts. For those environmental topics for which a potential adverse impact may exist, a discussion of the existing site environment related to the topic is presented followed by an analysis of the project’s potential adverse impacts. When the project does not have any potential for adverse impacts for an environmental topic, the reasons why there are no potential adverse impacts are described.

| I. AESTHETICS -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: Palm Springs General Plan, 2007; Palm Springs Municipal Code

Setting

The project site, located at 3573 North Anza Road in the City of Palm Springs, proposes a two-story facility purposed for the cultivation of cannabis. The project site, and surrounding area, sits within the service/manufacturing (M-1) zone in the City. The M-1 zoning designation intends to provide for the development of service industries for commercial and hotel uses and for industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in already processed form. Cannabis cultivation is permitted within this zone with the submission of a Conditional Use Permit and required cannabis permit.

The approximately 0.34-gross-acre project site sits on a previously cleared and compacted vacant lot, which is currently being used for overflow parking for surrounding businesses. Surrounding uses to the north, east and south include service/manufacturing facilities that vary from one and two-stories. Immediately west-adjacent of the project site is an approximately 5-acre vacant lot. The vacant lot is separated from the project site by barbed wire fencing. In addition to barbed wire fencing, overhead distribution power lines runs along the western property boundary.

The two-story proposed facility will be 10,504 square feet at total buildout, with the first and second floor covering 5,252 square feet each. Project design includes an architecturally symmetrical facility, painted in desert tones, with drought-tolerant landscaping and paved parking stalls. The proposed project is intended to blend with the surrounding service/manufacturing facilities, as well as with the natural desert environment. Further discussion on the project aesthetics is found below.

Discussion of Impacts:**a) Less than Significant Impact.**

According to the Palms Springs General Plan, the village character, desert climate, mountain views, attractive streetscapes, and well defined neighborhoods are factors that uniquely define the City of Palm Springs. Therefore, preserving and enhancing the visual quality of the City is a priority to reinforce and strengthen the community's identity. The City's location at the base of the San Jacinto and Santa Rosa Mountains creates unparalleled mountain and desert views with multiple means of immediate access into these beautiful natural areas. Efforts should be taken to protect existing scenic view corridors and create new ones when possible, to increase the character and quality of those natural resource access points (Palm Springs General Plan, 2007).

The perception and uniqueness of scenic vistas from a particular setting vary according to location and surrounding context. Views are influenced in part by the presence and intensity of man-made neighboring improvements, such as structures, overhead utilities, and vegetation. The massing of structures and vegetation in the project area and surroundings interacts with the natural regional environment to form the characteristic views of this locality.

As stated previously, the proposed project occupies two recently merged vacant parcels in the service/manufacturing (M-1) zone in the City of Palm Springs. In the M-1 neighborhood of the City, developments to the north, south and east of the project tend to include low pitched buildings with a mass and scale proportionate to the parcels of land on which they are located. The parcel west of the proposed project is currently vacant and undisturbed with scattered vegetation. The project site and west-adjacent property is separated by barbed wire fencing, and overhead distribution power lines. From the project area, views of the San Jacinto Mountains to the west are the most prominent. Existing structural development to the north, south and east, and overhead utilities (posts and overhead lines) represent existing visual obstructions to the visibility and uniqueness of mountains.

The project proposes to develop a two-story, 10,504-square-foot facility for the cultivation of cannabis. The cultivation facility will be located in the northwest corner of the property, and have a symmetrical architectural style with beige stucco finishes and windows on the second floor of the east frontage. The proposed structure height is 32 feet and 10 inches which complies with the 40-foot height limit established in the Municipal Code 92.17.03(C)(1), regarding M-1 developments. Parking spaces will border the east and south sides of the property, creating a 25-foot building setback from the street.

The proposed building design, stylistic features, and landscaping improvements of the project will result in a functional use of the land. By establishing the compliant setbacks of the structure from the existing property lines, the project reduces mountain view conflicts and other visual impairments in relation to the surroundings. Following review and approval of project plans, less than significant impacts are anticipated.

b) No Impact.

The proposed cannabis cultivation project would be developed within the existing M-1 zone, at 3573 North Anza Road. The existing character of the project site is graded vacant land cleared of

vegetation. The existing development patterns within the M-1 neighborhood include a mix of one and two-story metal and concrete industrial-style buildings. The proposed site plan and architectural design will work to ensure that any alterations to the vacant property are appropriate for the surrounding area and the existing aesthetic conditions and standards.

According to the California Scenic Highway Mapping System, only two officially Designated State Scenic Highways are located within the Coachella Valley, however, none lie within Palm Springs. These State Scenic Highways include Highway 62, approximately 4.50 miles northwest of the project site and Highway 74, approximately 13.25 miles southeast. Highway 111 traverses the City of Palm Springs and is listed by the California Scenic Highway Mapping System as an Eligible State Scenic Highway; however, it is not officially designated. Highway 111, which duels as South Palm Canyon Drive, lies approximately 0.50 miles west of the project; therefore is not anticipated to be affected by project development and operation.

The project is not located near any state or county, eligible or designated scenic highway. There are no scenic resources, including trees, rock outcroppings, or historical buildings that would be disturbed by implementation of the project. No impacts are anticipated.

c) Less than Significant Impact.

As previously discussed, the project is located within the service/manufacturing (M-1) zone in Palm Springs, a setting that is characterized by one and two-story metal, stucco and concrete buildings. The project site is currently defined as cleared and compacted vacant land, and is being used as overflow parking for surrounding businesses. Bordering the north and south property boundaries are existing industrial facilities. The property west of the project site is an approximately 5-acre undisturbed, vacant parcel covered with scattered desert vegetation. Separating the project parcel and the vacant adjacent parcel are overhead distribution power lines, and barbed-wire fencing. Cannabis cultivation is permitted within M-1 zones with a Conditional Use Permit.

The proposed cultivation facility intends blend in with the surrounding industrial buildings and desert environment. Project design includes stucco embossed steel panels painted the colors of greenmount silk, and barley. The neutral colors selected for the facility's exterior will match the existing structures within the project's vicinity, which also share a neutral color palette of various whites and beiges. The mansard roof parapet with two foot overhang will not only act as an architectural feature, but will also shield the rooftop equipment from pedestrian view. Building heights within M-1 zones are required to not exceed 40 feet (Palm Springs Municipal Code 92.17.03 (C)(1)). The height of the proposed facility will be 32 feet 10 inches, which complies with the stated standard. One inch architectural breaks are also proposed on the east and south building frontages in order to avoid the use of long, blank walls, which are undesired in industrial parks within Palm Springs (Palm Springs General Plan, 2007). The main entrance will be located on the east building frontage, while the equipment loading area will be located on the south side of the building. Metal awnings, painted Greenfield pumpkin color, will hang over the building entrances.

Parking will be provided both off of Anza Road and south of the proposed building. The nine (9) provided parking stalls directly perpendicular to Anza Road will have a six (6) inch decorative

stamped concrete finish. A trash enclosure will be located on the southwest corner of the property, and will have a stucco finish to match the colors of the building. Landscaping is proposed on the east and south building frontage, as well as throughout the parking lot. Landscaping will consist of drought-tolerant plants and trees, attributing to both the aesthetic design, and shade for cars and pedestrians. The proposed landscaping includes: Mexican Fan Palm, California Fan Palm, Juniper, Bird of Paradise, Palo Verde, and various desert shrubs. The landscaping is limited to an approved plant palette that is harmonious with the existing neighborhood landscape design and streetscape conditions.

According to the Palm Springs General Plan, mixed-use and multi-use developments allow for greater flexibility and a more varied environment than traditional single-use land use designations. These areas should consist of commercial, office and residential uses. The project site shall comply with the standards outlined within the Palm Springs Community Design Element in the 2007 General Plan, in addition to measures stated in the Municipal Code regarding M-1 zones and cannabis facilities. The proposed site, architectural and landscape design elements are required to conform to the City's Architectural Review Guidelines. The project's compliance of these standards ensures that impacts effecting the existing visual character or quality of the site and its surroundings are less than significant.

d) Less than Significant Impact.

The project is proposed in a service/manufacturing (M-1) zone where the current sources of light are attributed to the existing industrial facilities. These current sources of light include: illumination from vehicular traffic in the area, as wells as existing lighting fixtures above building entrances, in parking lots and around existing signage. Within the M-1 zone, in which the project resides, there are no street lights; therefore only the existing industrial establishments in the surrounding area contribute to the night ambient lighting.

The proposed two-story cultivation facility will be integrated into the existing M-1 neighborhood without introducing a substantial source of new glare or lighting, and without exceeding the City's lighting standards or the conditions typical of the project vicinity. Outdoor lighting from the proposed project will be attributed to lighting around the building's exterior, light posts in the parking lot, and vehicular traffic. According to the photometric plan, the project site will use energy efficient, LED, wall-mounted and standing light posts. The seven (7) wall-mounted lights will be located on the east and south frontages of the building. Four (4) of the seven lights will illuminate the east property frontage. According to the project-specific photometric plan, these lights will range from approximately 8.2 foot-candles, closest to the building, to 0.5, towards North Anza Road.

The lower foot-candle measurement towards North Anza Road will ensure that a substantial amount of glare will not be created by the project. The three (3) proposed light posts will be located near the southern boundary line, providing light to the seven (7) southern-most parking spaces and trash enclosure. These lighting features will range from approximately 6.5 foot-candles to 1.1 foot-candles. The use of exterior light fixtures will be made compatible with the architectural style and materials of the buildings. Additionally, the lighting chosen by the project will comply with the standards outlined in Municipal Code 93.21.00 for outdoor lighting standards within the City of Palm Springs. Lighting sources will be situated to prevent glare for

pedestrians, vehicles, adjacent properties and the night sky. The project is not expected to substantially add to nighttime lighting caused by vehicular traffic, because the vacant lot is currently being used for overflow parking for surrounding businesses.

Pertaining to daytime glare, the project will not involve building materials with highly reflective properties that would disrupt day-time views. The proposed structure will utilize beige colored stucco with windows located on the second floor east frontage. Less than significant impacts are anticipated to result from the proposed project.

Mitigation Measures: None

| II. AGRICULTURE AND FORESTRY RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: 2016 California Farmland Mapping and Monitoring Program

Setting

The proposed project is located within an urbanized area of the City of Palm Springs. There are no farmlands in the vicinity of the project as designated by the Farmland Mapping and Monitoring Program of the California Resources Agency. The vicinity and Project are generally defined as “Urban and Built-up Land.” Additionally, the project is not located on lands zoned for agriculture and is not covered by a Williamson Act contract.

Discussion of Impacts:**a) No Impact.**

The proposed project would not involve the disturbance or conversion of any designated farmland or other form of agricultural resource. According to the 2016 California Farmland Mapping and Monitoring Program (FMMP) Geographic Information Systems database, the project site is categorized as “Urban and Built-Up Land”. Urban Built-up Land is used to identify properties occupied by structures that are residential, industrial, commercial, construction, institutional, public administration, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control devices. A significant portion of the City of Palm Springs is categorized as “Urban and Built-Up Land”. The subject property site and surrounding land to the north, east, south and west is not categorized as Prime Farmland, Unique Farmland, or Farmland of local statewide importance. No impacts are expected.

b) No Impact.

As described above, the project site is not located in existing zoning for agricultural use or classified as farm land. The California Land Conservation Act, also known as the Williamson Act, was adopted in 1965 in order to encourage the preservation of the State’s agricultural lands and to prevent its premature conversion to urban uses. The Act creates an arrangement whereby private land owner’s contract with counties and cities to voluntarily restrict land to agricultural and open-spaces uses. Under the Williamson Act, an agricultural preserve must consist of no less than 100 acres, any development on the property must be related to the primary use of the land for agricultural purposes, and development must be in compliance with local uniform rules or ordinances. According to the Williamson Act Land Map FY 2015/2016, neither the subject property nor any portion of land within a one-mile radius is recognized as being under a Williamson Act Contract. The proposed project will not impact or remove land from the City or County’s agricultural zoning or agricultural preserve. No impacts are expected.

c) No Impact.

The proposed project will occur in an existing urban desert setting zoned for commercial uses. No forest land, timberland or Timberland Production zoning occurs on the project site or on the surrounding properties. Forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are expected.

d) No Impact.

The proposed project will occur in an existing urban desert setting. No forest land occurs on the project site or in the surrounding area, because forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are expected.

e) No Impact.

The project proposes a 2-story cannabis cultivation facility which is compatible with the City’s General Plan land use designations and zoning ordinances. As previously described, the project site and vicinity are designated for commercial use. The existing environment contains commercial facilities and residential development. No farmland or forest land is situated within or adjacent to the project; therefore, no impacts are expected.

Mitigation Measures: None

| III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: Air Quality Analysis Guidance Handbook, Chapter 5.

Setting

All development within the Salton Sean Air Basin (SSAB) is subject to South Coast Air Quality Management District's (SCAQMD) 2016 Air Quality Management Plan (2016 AQMP) and the 2003 Coachella Valley PM₁₀ State Implementation Plan (2003 CV PM₁₀ SIP). The SCAQMD operates and maintains regional air quality monitoring stations at numerous locations throughout its jurisdiction. The proposed site is located within Source Receptor Area (SRA) 30, which includes monitoring stations in Palm Springs and Indio. The Indio monitoring site has been operational since 1985 and the Palm Springs site since 1987.

The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. In March of 2017, SCAQMD released the most current Final Air Quality Management Plan (2016 AQMP), which is a regional blueprint for achieving federal air quality standards. The 2016 AQMP includes both stationary and mobile source strategies to ensure that the approaching attainment deadlines are met and public health is protected to the maximum extent feasible. As with every AQMP, a comprehensive analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures is updated with the latest data and methods. Land use designation considerations are an important component of the AQMP development. The 2016 AQMP provides local guidance for the State Implementation Plans (SIP), which establishes the framework for the air quality basins to achieve attainment of the State and the National Ambient Air Quality Standards (NAAQS).

SCAQMD Rules

The AQMP for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal standards. During construction and operation, the project must comply with applicable rules and regulations. The following are rules the project may be required to comply with, either directly, or indirectly:

SCAQMD Rule 402 prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403 governs emissions of fugitive dust during construction and operation activities. Compliance with this rule is achieved through application of standard Best Management Practices, such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites.

Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site.

SCAQMD Rule 403.1 is supplemental to Rule 403 requirements and shall apply only to fugitive dust sources in the Coachella Valley.

SCAQMD Rule 445 prohibits permanently installed wood burning devices into any new development. A wood burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or any similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.

SCAQMD Rule 481 applies to all spray painting and spray coating operations and equipment. The rule states that a person shall not use or operate any spray painting or spray coating equipment unless one of the following conditions is met:

1. The spray coating equipment is operated inside a control enclosure, which is approved by the Executive Officer. Any control enclosure for which an application for permit for new construction, alteration, or change of ownership or location is submitted after the date of adoption of this rule shall not be exhausted nor greater than 300 feet per minute or through a water wash system designed to be equally effective for the purpose of air pollution control.
 - Coatings are applied with high-volume low-pressure, electrostatic and /or airless spray equipment.

- An alternative method of coating application or control is used which effectiveness equal to or greater than the equipment has specified in the rule.

SCAQMD Rule 1108 governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the South Coast Air Basin. This rule would regulate the VOC content of asphalt used during construction. Therefore, all asphalt used during construction of the project must comply with SCAQMD Rule 1108.

SCAQMD Rule 1113 governs the sale, use, and manufacturing of architectural coating and limits the VOC content in paints and paint solvents. This rule regulates the VOC content of paints available during construction. Therefore, all paints and solvents used during construction and operation of the project must comply with SCAQMD Rule 1113.

SCAQMD Rule 1143 governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment and other solvent cleaning operations by limiting their VOC content. This rule regulates the VOC content of solvents used during construction. Solvents used during the construction phase must comply with this rule.

SCAQMD Rule 1186 limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, country, agency or special district such as water, air, sanitation, transit, or school district.

SCAQMD Rule 1303 governs the permitting of re-located or new major emission sources, requiring Best Available Control Measures and setting significance limits for PM10 among other pollutants.

SCAQMD Rule 1401, New Source Review of Toxic Air Contaminants, specifies limits for maximum individual cancer risk, cancer burden, and non-cancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units, which emit toxic air contaminants.

SCAQMD Rule 2202, On-Road Motor Vehicle Mitigation options, is to provide employers with a menu of options to reduce mobile source emissions generated from employee commutes, to comply with federal and state Clean Air Act requirements, Health & Safety Code Section 40458, and Section 182(d) (1) (B) of the federal Clean Air Act. It applies to any employer who employs 250 or more employees on a full or part-average.

Discussion of Impacts:

a) Less than Significant Impacts.

The Project is located in the Coachella Valley region within the Salton Sea Air Basin (SSAB), under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Air quality in the SSAB is influenced by the regional climate as well as the temperature, wind, humidity, precipitation, and amount of sunshine. The Coachella Valley is an arid desert region with a climate characterized by low annual precipitation, low humidity, hot days, and very cool nights. Wind direction and speed (which in turn affect atmospheric stability) are the most important climate elements affecting local ambient air quality. Desert regions are typically windy

because minimal friction is generated between the moving air and the low, sparse vegetation. This allows the wind to maintain its speed crossing the desert plains. Additionally, the rapid daytime heating of the air closest to the desert surface leads to convective activity and the exchange of surface air for upper air, which accelerates surface winds during the warm part of the day.

The project property has a General Plan land use designation of Mixed Use/Multi-Use. The property is zoned as Service/Manufacturing with an underlying zoning of M-1. Surrounding land uses include buildings directly to the north, south, east, and open space to the west. The proposed project is consistent with the Land Use and Zoning designations, and therefore will not be in conflict with the General Plan conditions or obstruct with implementation of its applicable air quality objectives.

The 2016 Air Quality Management Plans (AQMP) serves as policy guides for decision-making related to air quality throughout the region. The project will not require a General Plan Amendment that would provide directly or indirectly for increased population growth above the level projected in the adopted AQMP or interfere with the ability of the region to comply with federal and state ambient air quality standards. Projects that are consistent with local General Plans are considered consistent with the air quality related regional plans including the current AQMP, the Coachella Valley PM10 State Implementation Plan and other applicable regional plans. Less than significant impacts are anticipated relative to conflict with or obstruction of implementation of the applicable air quality plan following the implementation of standard conditions.

b) Less than Significant Impacts.

An impact is potentially significant if concentration of emissions exceed the State or Federal Ambient Air Quality Standards. The two primary pollutants of concern in the Coachella Valley including the City of Palm Springs are ozone (O₃) and particulate matter (PM₁₀ and PM_{2.5}). The project site is located within the Salton Sea Air Basin, which has been designated by the California Air Resources Board as a nonattainment area for ozone (8-hour standard) and PM₁₀. Violations of the air quality standards for ozone are primarily due to pollutant transport from the South Coast Air Basin.

Ozone (O₃) is formed when byproducts of combustion react in the presence of ultraviolet sunlight. This process occurs in the atmosphere where oxides of nitrogen combine with reactive organic gases, such as hydrocarbons, in the presence of sunlight. Ozone is a pungent, colorless, toxic gas, and a common component of photochemical smog. Although also produced within the Coachella Valley, most ozone pollutants affecting the Valley are transported by coastal air mass from the Los Angeles and Riverside/San Bernardino air basins, thereby contributing to occasionally high local ozone concentrations.

Particulate Matter (PM₁₀) and (PM_{2.5}) consists of fine suspended particles of ten microns or 2.5 microns respectively in diameter, and are the byproducts of road dust, sand, diesel soot, windstorms, and the abrasion of tires and brakes. The elderly, children and adults with pre-existing respiratory or cardiovascular disease are most susceptible to the effects of Particulate Matter.

The SCAQMD has established significance thresholds for specific pollutants on individual projects. These thresholds related to project construction and long term operations are shown in the Mass Daily Thresholds table below. Project effects would be considered significant if the emissions exceed these thresholds. Project effects would also be considered potentially significant if emissions affected sensitive receptors such as schools or nursing homes, or if the project conflicted with the regional AQMP and/or local air quality plans.

**Table III-1
SCAQMD's Air Quality Significance Thresholds:**

| Emission Source | CO | VOC | NO _x | SO _x | PM ₁₀ | PM _{2.5} |
|--|-----|-----|-----------------|-----------------|------------------|-------------------|
| Construction or Operation (Pounds/Day) | 550 | 75 | 100 | 150 | 150 | 55 |

Source: Air Quality Analysis Guidance Handbook, Chapter 5.
Prepared by the South Coast Air Quality Management District. www.aqmd.gov/ceqa/hndbk.html

The California Emissions Estimator Model (CalEEMod Version 2016.3.2) was utilized to estimate the short-term construction-related emissions of criteria air pollutants and greenhouse gas emissions that would be associated with the construction activities necessary to implement the proposed project. The project parameters involved the construction and operation of a metal constructed cannabis cultivation facility that is 10,504-square-foot. Default construction parameters incorporated in CalEEMod were assumed for those construction activities for which site-specific information is not currently available.

Table III-2, summarizes the unmitigated short-term emissions of the six criteria pollutants associated with the construction activities required to implement the proposed project. The construction period includes all aspects of project development, including site preparation, grading, building construction, paving and architectural coating. Peak day emissions estimates are provided by construction phase type and reflect activities in the season or year with the highest daily emissions. As shown, the unmitigated peak day air pollutant emissions during the construction phase with the highest projected emissions are not projected to exceed any of the applicable SCAQMD significance thresholds for short-term construction-related emissions. Based upon the projected emissions of the criteria air pollutants, the proposed project would have less than significant impacts relative to short-term impacts to air quality.

The SCAQMD requires any emission reductions resulting from existing rules or ordinances to be included as part of the unmitigated project emissions. Those measures that are legally mandated and therefore required of all developments by applicable ordinances, rules, and regulations are not considered mitigation. Title 8, Chapter 8.50 (Fugitive Dust Control) of the Palm Springs Municipal Code establishes the minimum requirements for construction and demolition in order to reduce man-made fugitive dust and corresponding PM₁₀ emissions. The required measures during construction must form part of a required Fugitive Dust Control Plan to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity,

and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. These standards are consistent with SCAQMD Rule 403 and 403.1, as identified in the SCAQMD publication Coachella Valley Fugitive Dust Control Handbook. Fugitive dust control measures that are required to comply with the City Municipal Code are generally not considered mitigation by the SCAQMD. Similarly, compliance with applicable SCAQMD Rules and Regulations is not considered mitigation by the SCAQMD.

Table III-2
Air Pollutant Emissions
Associated With Unmitigated Construction of the Proposed Project
(Pounds/Day)

| | ROG | NO _x | CO | SO ₂ | PM ₁₀ | PM _{2.5} |
|---------------------------|--------------------|---------------------|--------------------|--------------------|------------------|-------------------|
| Total Emissions | 5.3844 (Summer) | 11.4337 (Winter) | 8.4988 (Summer) | 0.0134 (Summer) | 12.4745 | 1.6925 |
| SCAQMD Threshold | 75 | 100 | 550 | 150 | 150 | 55 |
| Threshold Exceeded | No | No | No | No | No | No |

Furthermore, CalEEMod was utilized to estimate the long-term operational air pollutant emissions that would result from implementation of the proposed project. Operational emissions are ongoing emissions that will occur during the life of the project. They include area source emissions, emissions from energy demand, and mobile source (vehicle) emissions. As shown in Table III-3, operational emissions will not exceed SCAQMD thresholds of significance for any criteria pollutants. The data are conservative and reflect unmitigated operations. Implementation of standard reduction measures will further reduce pollutant emissions. These include, but are not limited to, the use of low-VOC architectural coatings and the use of energy-efficient appliances. Less than significant impacts are anticipated.

Table III-3
Operational Air Pollutant Emissions
Associated With Development of the Project
(Pounds/Day)

| Emission Source | ROG | NO _x | CO | SO ₂ | PM ₁₀ | PM _{2.5} |
|--|--------------------|--------------------|--------------------|-------------------------|--------------------|--------------------|
| Total Area Sources, Energy Use, Mobile Sources | 0.3981 (Summer) | 1.1835 (Winter) | 1.8599 (Summer) | 5.9400e-003 (Summer) | 0.3258 (Winter) | 0.0964 (Winter) |
| SCAQMD Threshold | 75 | 100 | 550 | 150 | 150 | 55 |
| Threshold Exceeded | No | No | No | No | No | No |

c) Less than Significant Impacts.

The Coachella Valley is designated by the California Air Resources Board as nonattainment for ozone, based on exceedances of both the state 1-hour and 8-hour standards; and for PM10, based on exceedances of the state 24-hour and annual average standards. Adherence to the SCAQMD rules and regulations and compliance with locally adopted AQMP and PM10 State Implementation Plan control measures will help reduce the pollutant burden contributed by the individual development project. Appropriate air quality measures are required by the City of Palm Springs and implemented through enforcement of the Palm Springs Municipal Code (Title 8, Chapter 8.50) consistent with SCAQMD Rules 403 and 403.1.

As mentioned, relative to PM10 threshold exceedance, construction associated with a future project will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to minimize potential temporary construction related emissions. An approved Fugitive Dust (PM10) Control Plan will be required prior to issuance of a grading permit. Implementation of the Fugitive Dust Control Plan is required to occur under the supervision of an individual with training on Dust Control in the Coachella Valley (Rule 403 and 403.1). The plan will include methods to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. The most widely used measures include proper construction phasing, proper maintenance/cleaning of construction equipment, soil stabilization, installation of track-out prevention devices, and wind fencing.

Project-related short-term construction and long-term operational emissions are not expected to exceed the SCAQMD mass daily regional significance thresholds. Therefore, the proposed project is not expected to result in a cumulatively considerable net increase of NOx and ROG emissions during construction activities. Less than significant impacts are anticipated.

d) Less than Significant Impacts.

Sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Land uses considered by the SCAQMD to be sensitive receptors include residential, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, child-care centers, retirement homes, and athletic facilities among others. Existing surrounding uses to the proposed hotel site include other hotel establishments and commercial uses to the north, east, and south. Existing residential uses in the vicinity of the proposed cultivation site include high density uses approximately 302 feet west (west of Anza Road). These residential uses are deemed to include sensitive receptors.

During construction, the project is expected to produce temporary and localized emissions, which based on the Air Quality Study's modeling results would not exceed the SCAQMD mass thresholds of significance. As previously discussed, the project applicant is required to comply with the City's Fugitive Dust Control ordinance by preparing a project-specific dust control plan. The plan will outline required activities and best management practices for preventing or reducing temporary emissions from reaching any substantial concentrations. Examples of best available dust control measures include constructing a temporary fence with wind screen to

prevent propagation of emissions, utilizing properly maintained equipment, maintaining stabilized soil, and constructing track-out prevention devices at construction access points. Fugitive dust control measures that are required to comply with the City Municipal Code are generally not considered mitigation by the SCAQMD. Similarly, compliance with applicable SCAQMD Rules and Regulations is not considered mitigation by the SCAQMD.

During the life of the project, activities and operations related to the proposed cultivation and parking lot uses are not expected to generate emissions concentrations that exceed the SCAQMD mass thresholds. Less than significant impacts are anticipated.

e) Less than Significant Impacts.

Objectionable odors can be associated with toxic or non-toxic emissions. While offensive odors seldom cause physical harm, they can be unpleasant and lead to considerable annoyance and distress among the public. The SCAQMD has compiled a list of facilities and operations that tend to produce offensive odors. Examples of such facilities that commonly generate odors include wastewater treatment plants, sanitary landfills, composting/green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing plants, painting/coating operations, rendering plants, and food packaging facilities. Some land uses and populations are considered more likely to experience concern over odors. These include retirement homes, residences, schools, playgrounds, child-care centers, and athletic facilities among others.

According to Ordinance No. 1909 section 5.45.095, the dispensary includes adequate measures that minimize, to the extent feasible, nuisances to the nearest neighborhood and community including weakening the detection of odor from offsite. Odors will be addressed in the HVAC design. Strong odors associated with cannabis cultivation are most prevalent during the flowing phase of the plants. Fresh air will be drawn into the structure and conditioned. Subsequently, air will be expelled after being processed in the proposed filter system. Carbon filtration is commonly used for facilities that emit strong odors. These systems can be designed to be adjusted for future conditions as needed. The proposed air filtration system will ensure that odors from within the building are reduced to the greatest degree feasible.

The proposed development is currently vacant and the proposed cultivation facility will not introduce facilities that would generate objectionable odors affecting a substantial number of people. Construction activities (within the permitted hours) are anticipated to generate short-term odor emissions due to the use of construction equipment, materials management and asphalt paving. Such odors would only be detectable in localized areas and would quickly disperse below detectable levels as distance from the construction site increases. Future cultivation operations are not expected to generate emissions that would affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. Therefore, impacts from objectionable odors are expected to be less than significant.

Mitigation Measures: None

| IV. BIOLOGICAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: City of Palm Springs General Plan, 2007; CVAG Website

Setting

The climate and natural topography of Palm Springs offers unique natural habitats and some of the most diverse plant and wildlife in Southern California. Ensuring the conservation of habitat is critical for the protection of plants and wildlife. Federal, State, local government entities, and the Tribe have established preserves and conservation areas to protect wildlife and habitat in Palm Springs.

The project site consists of two merged parcels of approximately 0.34 acres. The site is vacant and undeveloped land that has been cleared and utilized as overflow dirt parking area for employees from the existing surrounding commercial businesses. The site is surrounded on the north, east, and south by commercial uses, and vacant desert land, commercial, and high density residential to the west.

Discussion of Impacts:**a) Less than Significant Impact.**

The project proposes a two-story 10,504 sf cannabis cultivation facility in an existing commercial area of the City. As previously mentioned the site has been disturbed and utilized for parking by employees from the surrounding business. As a result, the current commercial development that defines the project site does not provide conditions that would support natural vegetative communities or habitats, including the presence of plant or animal species given special status by government agencies. The project site does not have known biotic elements, corridors or communities. Based on the City of Palm Springs General Plan, the project site is not identified in a Biological Sensitive or Conservation Area. Less than significant impacts are expected as a result of project implementation.

b) No Impact.

As previously discussed, the project site is located in an urbanized area of the City and has been disturbed for a number of years. The site has been cleared of all vegetation and utilized as a parking area by employees from the surrounding businesses. The property does not contain or is it adjacent to any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No blue-line stream corridors or desert washes are found within the project boundary. No impacts are expected to any riparian habitat or other sensitive natural communities.

c) No Impact.

The project site does not contain nor is it adjacent to federally protected wetlands, marshes or other drainage features. Therefore the project will not result in the direct removal, filling or other hydrological interruption to any of these resources. The project will include on-site retention facilities to prevent the direct discharge and hydro modification impacts of runoff into the local municipal storm water system and any downstream receiving water. No impacts are expected as a result of project implementation.

d) No Impact.

The project is not located on or near any existing drainages that would support wildlife corridors. The existing commercial surroundings do not provide the natural habitat conditions that would be suitable for wildlife. No impacts are expected to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

e) No Impact.

The developed project site does not support natural vegetation communities or habitats. The proposed project will provide landscaping improvements in a manner consistent with the City's development standards. Existing vegetation has been established based on landscape design. Therefore, no conflict with any local policies or ordinances for protecting biological resources would result from project implementation. No impacts are anticipated.

f) No Impact.

The project lies within the boundary of the CVMSHCP which outlines policies for conservation of habitats and natural communities and is implemented by the City of Palm Springs. The project site is not located within a Conservation Area under this plan and there are no known significant biological resources on the project site. The CVMSHCP implements a habitat mitigation fee for new development to support the acquisition of conservation lands. The proposed project will comply with all required plan provisions and pay the required mitigation fee in conformance with the CVMSHCP and City Ordinance. No impacts to local, state or regional conservation plans are expected.

Mitigation Measures: None

| V. CULTURAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: City of Palm Springs General Plan, 2007

Setting

The City of Palm Springs is situated in the northwestern portion of the Coachella Valley, a northwest-southeast trending desert valley that constitutes the westernmost portion of the Colorado Desert. The Coachella Valley is a historical center of Native American settlements occupied by the Cahuilla people, in the mid-19th century. Cahuilla villages were concentrated along the shores of Lake Cahuilla (present day Indio and La Quinta), a freshwater lake formed by alterations to the course of the Colorado River.

The drying of Lake Cahuilla led to the gradual dispersal of villages to the canyons and alluvial fans in the mountains near permanent water sources. Non-Indian settlement in the Coachella Valley began in the 1870s with the establishment of the railroad stations along the southern Pacific Railroad, and spread even further in the 1880s after public land was open for claims under the Homestead Act, the Desert Land Act, and other Federal land laws.

The City of Palm Springs owes its origin to the early development efforts led by John Guthrie McCallum who began purchasing land in the area in 1872. Farming became the dominant activity in the valley due to the utilization of underground water sources, often in form of artesian wells. A health resort was established in 1892 by Welwood Murray who leased the Aqua Caliente hot springs from the local Native American Tribe, which would go on to forecast the future development of the City. In the

1920s-1930's Palm Springs was home to many Hollywood celebrities and soon became a favorite resort destination.

The proposed project is located in urban area of the City and is surrounded on the north, east, and south by commercial and industrial uses. To the west is vacant desert land, commercial, and high density residential. The site has been disturbed for a number of years by human activity.

Discussion of Impacts:

a) No Impact.

As defined by CEQA §15064.5 (b), “substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alternation of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired”.

The project site is located in an urban setting in the city and has been cleared of vegetation and utilized for parking for a number of years. The site is not listed in a local, state or national register of historical resources. Moreover, according to the Cultural Resources section of the City of Palm Springs General Plan, the property is located outside the designated areas likely to contain Prehistoric or Archaeological resources (General Plan Figures 5-5, 5-6) and does not contain or is adjacent to previously identified historic resources as defined by California Code of Regulations, Section 15064.5. No impacts related to historic resources are expected.

b) Less than Significant Impact with Mitigation.

Archaeological resources are described as cultural resources, such as structures or objects that provide evidence to past human activity. They are important for scientific, historic, and or religious reasons to cultures, communities, groups or individuals. The project site has been previously disturbed and impacted by human activity. The project site lies in an area not recognized as sensitive for Prehistoric/Archaeological Resources according to Figures 5-5, and 5-6 of the City's General Plan. However, the City of Palm Springs has an extensive past and present Native American population and it is recommended that a qualified cultural resource monitor be onsite during any ground disturbing activities in the event of any cultural finds. Less than significant impacts are expected following the recommended mitigation measure.

Mitigation Measures:

MM CUL-1: The presence of a qualified archaeologist shall be required during all project related ground disturbing activities that penetrate into native soils. In the event that potentially significant archaeological materials are discovered, all work must be halted in the vicinity of the archaeological discovery until the archaeologist can assess the significance of the find, and its potential eligibility for listing in the California Register of Historical Resources (CRHC)

c) No Impact.

Per the Riverside County Land Information System, the project site is recognized as having “low” potential for Paleontological Sensitivity. Areas recognized for having “low” potential have a reduced likelihood of containing significant non-renewable paleontological resources,

including vertebrate or significant invertebrate fossils. Moreover, the site is not recognized as a unique paleontological resource or unique geologic feature. Therefore, no impacts to paleontological resources are expected.

d) Less than Significant Impact.

The proposed project is not anticipated to disturb any human remains, including those interred outside of formal cemeteries. The California Health and Safety Code, Section 7050.5, and the CEQA Guidelines Section 15064.5 require that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be those of Native American, or has reason to believe that they are those of Native American, the coroner shall contact by telephone within 24 hours the Native American Heritage Commission. Less than significant impacts are anticipated.

| VI. GEOLOGY AND SOILS -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: Palm Springs General Plan, 2007. Geotechnical Investigation, Sladden Engineering, Dec 2017

Setting

The approximately 0.34 acre project site is located approximately on the northwest corner of Anza Road and Del Sol Road, in the City of Palm Springs. Situated within the City's service/manufacturing (M-1) zone, the vacant project site proposes a new two-story cannabis cultivation facility. At total buildout the facility will be 10,504 square feet, with the first and second floor occupying 5,252 square feet each. In December 2017 Sladden Engineering provided a project-specific Geotechnical Investigation in which recommendations and design criteria presented were based on field exploration program, laboratory testing and engineering analysis. Sladden Engineering's investigation included:

- Site reconnaissance to assess the existing surface conditions on and adjacent to the site;
- Advancing three exploratory boreholes to practical auger refusal depths between approximately 11 and 20 feet below ground surface in order to characterize the subsurface soil conditions. Representative samples of the soil were classified in the field and retained for laboratory testing and engineering analyses;
- Performing laboratory testing on selected samples to evaluate the engineering characteristics;
- Reviewing geologic literature and discussing geologic hazards;
- Performing engineering analyses to develop recommendations for foundation design and site preparation;
- The preparation of their report summarizing their work at the project site.

Further discussion of Sladden Engineering's findings and the geologic setting of the project site are stated below.

Discussion of Impacts:

a) i) No Impact.

According to the Alquist-Priolo Earthquake Fault Zones designated by the California Division of Mines and Geology, the project site is not located within a designated fault zone. The closest known potentially active faults are located approximately 3.75 miles to the north. These faults are recognized as the Southern segments of the San Andreas Fault System and the Garnet Hill Fault. Furthermore, the City of Palm Springs Safety Element Seismic Hazards Map (Figures 6-1) does not designate the project site as being on or near an Alquist-Priolo Earthquake Fault Zone. In addition to this, Sladden Engineering's site investigation did not uncover signs of active surface fault rupture or secondary seismic effects. There are no known active or possibly active faults with potential impacts associated with fault rupture indicated on the site or in the immediate vicinity. No impacts are expected relative to fault rupture as delineated on Alquist-Priolo Maps or substantial evidence of a known fault.

ii) Less than Significant Impact.

The Coachella Valley, including the project site, is susceptible to seismic activity due to the multiple fault lines that traverse the region. Strong seismic shaking from nearby active faults is expected to generate intense seismic shaking during the design life of the project, and according to Sladden Engineering's project specific Geotechnical Investigation, the potential for moderate to strong seismic shaking at the project site is considered the most significant geologic hazard to

the project site. In order to mitigate the detrimental effects of seismic events, the project site shall comply with the seismic safety provisions of the California Building Code (CBC). Per the Code, the proposed facility will be constructed in a manner that reduces or eliminates the risk of seismic hazards (Title 24, California Code of Regulations). Furthermore, remedial grading and construction to the most current CBC guidelines and seismic design coefficients will work to reduce exposure of people or structures to adverse effects associated with ground shaking during an earthquake to the greatest extent possible. Less than significant impacts are expected.

iii) Less than Significant Impact.

Three conditions must be present in order for liquefaction to occur. The first condition includes liquefaction-susceptible soils. The second includes the presence of groundwater within 50 feet or less below ground surface. Finally, the third condition requires strong seismic shaking. According to the City of Palm Springs General Plan Seismic Hazards Map (Figure 6-1), the project is located in an area of the City with Low Liquefaction Susceptibility. This designation applies to areas with fine-grained granular sediments susceptible to liquefaction but with groundwater depths greater than 50 feet. Liquefaction hazard is considered low in the Palm Springs area because the approximate depth to groundwater is greater than 50 feet, and, as previously stated, liquefaction requires groundwater levels within 50 feet of the ground surface (Palm Springs General Plan, 2007).

Additionally, the Geotechnical Investigation states that liquefaction and liquefaction related hazards are not anticipated at the project site due to the lack of shallow groundwater. In November 2017, Sladden Engineering conducted a field investigation where three exploratory bores were excavated. They did not find groundwater or seepage during their field investigation. Less than significant impacts are expected.

iv) Less than Significant Impact.

The site itself and surrounding lands are predominantly level and would not be susceptible to landslides. According to the City of Palm Springs General Plan Landslide Susceptibility Map (Figure 6-2), the project site does not lie within an area of the City with susceptibility to impacts associated with landslides. The project-specific Geotechnical Investigation also states that no signs of slope instability were observed at or near the project site, therefore, they concluded that risks associated with slope instability should be considered low. Less than significant impacts are expected.

b) Less than Significant Impact.

The City of Palm Springs General Plan Wind Hazard Zone Map and Geologic Map (Figures 6-3, 6-4) identifies the site as being in an area with a High Wind Erodibility Rating with an Older Alluvial gravel and sand soil composition. Soil stabilization will be required during site disturbing activities. The development of the project will include paved surfaces and landscaping, reducing the possibility for wind erosion.

The proposed project will involve construction activities for an area less than one acre, which will be performed according to an engineered grading plan approved by the City. The plan will include measures to control water and wind-born erosion. The project is expected to implement (throughout all construction activities) standard construction best management practices (BMPs)

to reduce potential erosion impacts during the period of grading and construction. As a standard condition, if construction conditions result in an increase of the temporary disturbed surface area to one acre or greater, the project proponent will be required to implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the State's most current Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ).

Standard City procedures require the developer to comply with South Coast Air Quality Management District's (SCAQMD) Rule 403 and 403.1, which prompt the requirement for preparation and implementation of a Fugitive Dust (PM10) Control Plan to establish temporary perimeter controls and soil stabilization measures to prevent windborne erosion and sediment track out. Windborne erosion is further discussed within the Air Quality section of this document. Additional discussion relative to waterborne erosion is found in the Hydrology and Water Quality section of this document. Following implementation of standard conditions, less than significant impacts are expected.

c) Less than Significant Impact.

The City of Palm Springs Safety Element, as discussed previously, does not indicate that the site is susceptible to geologic hazards including liquefaction, landslides, lateral spreading and collapse. Although subsidence has been documented in the eastern Coachella Valley, it is not known to occur in the upper valley or the project vicinity. Less than significant impacts are anticipated.

d) Less than Significant Impact.

Expansive soils owe their characteristics to the presence of swelling clay materials. The project site consists of older alluvial gravel and sand which is not an expansive soil. Additionally the Geotechnical Investigation states that the coarse-grained soils and fine grained soils located at the project site are non-expansive. Therefore, the risk of structural damage caused by volumetric changes in the subgrade soils is considered negligible. Less than significant impacts are anticipated related to expansive soils.

e) No Impact.

Sewer service is provided in the vicinity by the City of Palm Springs. The project will connect to the public sewer system and no septic tanks or alternative waste water disposal systems are proposed. No impacts are expected.

Mitigation Measures: None

| VII. GREENHOUSE GAS EMISSIONS -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: Palm Springs General Plan, 2007; Palm Springs Climate Action Plan, 2013; CAPCOA’s Quantifying Greenhouse Gas Mitigation Measures, 2010; SCAQMD 2016 AQMP, 2017; SCAQMD Air Quality Significance Thresholds; CalEEMod Version 2016.2.2

Discussion of Impacts:

a) Less Than Significant Impact.

Greenhouse gases (GHG) are a group of gases that trap solar energy in the Earth’s atmosphere, preventing it from becoming too cold and uninhabitable. Common greenhouse gases in the Earth’s atmosphere include: water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone, and to a lesser extent chlorofluorocarbons. Carbon dioxide is the main GHG thought to contribute to climate change. Carbon dioxide reflects solar radiation back to Earth, thereby trapping solar energy and heat within the lower atmosphere. Human activities (such as burning carbon-based fossil fuels) create water vapor and CO₂ as byproducts, thereby impacting the levels of GHG in the atmosphere.

To address the long-term adverse impacts associated with global climate change, California’s Global Warming Solutions Act of 2006 (AB 32) requires California Air Resource Board (CARB) to reduce statewide emissions of greenhouse gases to 1990 levels by 2020. In 2016, Governor Jerry Brown signed Senate Bill 32 (SB32) that requires California to reduce GHG emissions to 40 percent below 1990 levels by 2030. With the passage of the California Global Warming Solutions Act of 2006 (Assembly Bill 32) in California, environmental documents for projects pursuant to CEQA are required to analyze greenhouse gases and assess the potential significance and impacts of GHG emissions. Additionally, the City of Palm Springs adopted their Climate Action Plan (CAP) that includes policies that apply to new development for the reduction of GHGs.

In November of 2017, the SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts released the latest version of the California Emissions Estimator Model™ (CalEEMod™) Version 2016.3.2. CalEEMod provides serves as an adopted platform to calculate both construction emissions and operational emissions from a land use project. The program can calculate both the daily maximum and annual average for criteria pollutants as well as annual greenhouse gas (GHG) emissions. CalEEMod utilizes widely accepted methodologies for estimating emissions combined with default data that can be used when site-specific information is not available. Sources of these methodologies and default data include but are not limited to the United States Environmental Protection Agency (USEPA) AP-42 emission factors, California Air Resources Board (CARB) vehicle emission models, studies commissioned by California agencies such as the California

Energy Commission (CEC) and CalRecycle. In addition, some local air districts provided customized values for their default data and existing regulation methodologies for use for projects located in their jurisdictions.

Construction Emissions

The existing site is currently vacant. The short-term emissions that will occur during construction of the project attributed to site preparation, grading, utilities/building construction, paving, architectural coating, and construction workers commuting. These emissions included greenhouse gases and other criteria pollutants.

Operational Emissions

Operational activities associated with the proposed Project will result in emissions of GHGs, including CO₂, CH₄, and N₂O from sources that include building energy use (combustion associated with natural gas and electricity), water supply, treatment and distribution, solid waste, mobile, and stationary facilities. The proposed cannabis manufacturing involves a non-volatile extraction process using electricity powered equipment, the nature of which is consistent with allowable manufacturing uses.

Energy Source Emissions

GHGs are emitted from buildings as a result of activities for which electricity and natural gas are used as energy sources. The project primarily involves electricity powered equipment. Combustion of any type of fuel emits CO₂ and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions.

Water Supply, Treatment and Distribution

Indirect GHG emissions result from the production of electricity to convey, treat and distribute water and wastewater. The proposed manufacturing process involves the use of water as part of the cannabis extraction.

Solid Waste

Manufacturing uses will result in the generation and disposal of solid waste. A large percentage of this waste will be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted will be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material. GHG emissions associated with the disposal of solid waste associated with the proposed Project were calculated by the CalEEMod model using default parameters.

Mobile Source Emissions

GHG emissions will also result from mobile sources associated with the Project. These mobile source emissions will result from the typical daily operation of motor vehicles by employees and vendors. Project mobile source emissions are dependent on overall vehicle trip generation. Trip generation rates are based on a Manufacturing land use type, which corresponds to the Institute of Transportation Engineers (ITE) number 140.

Table VII -1
Project Related Greenhouse Gas Emissions

| Emission Source | Emissions (metric tons per year) | | | |
|--|----------------------------------|-----------------|------------------|-------------------------|
| | CO ₂ | CH ₄ | N ₂ O | Total CO ₂ E |
| Construction Emissions (Amortized for 30 year period) | 1.94 | 0.00054 | 0.00 | 1.950 |
| Area | 5.6000e-004 | 0.00 | 0.00 | 6.0000e-004 |
| Energy | 53.1185 | 9.00E-004 | 1.7900E-003 | 53.3516 |
| Mobile Sources | 0.00 | 4.5900E-003 | 0.00 | 67.8243 |
| Waste | 2.6429 | 0.1562 | 0.00 | 6.5478 |
| Water Usage | 0.7703 | 0.0795 | 1.9500E-004 | 13.4148 |
| Total CO ₂ E (All Sources) | 143.0891 | | | |
| Service Population | 42 | | | |
| Total CO ₂ E per Service Population | 3.41 | | | |
| SCAQMD Threshold (Service Population) | 4.8 | | | |
| Threshold Exceeded? | NO | | | |
| SCAQMD Interim Threshold for Industrial Uses | 10,000 | | | |
| Threshold Exceeded? | NO | | | |

The SCAQMD defines the service population as the total residents and employees associated with a project. Relevant to the proposed Project, the SCAQMD Tier 4 option is to utilize an efficiency target. The SCAQMD has proposed targets for project-level and plan-level analysis. At the September 2010 working group meeting the SCAQMD recommended a project-level efficiency target of 4.8 metric tons per year of CO₂ equivalent (MTCO₂e) per service population (SP) as a 2020 target. Thus, SCAQMD's threshold is another metric for assessing compliance with AB 32, based on numbers attributable to certain sectors and distilling the analysis to a finer grain based on a per person methodology associated with land use.

In regards to service population during construction activities of this project having two shifts and possibly increasing parking spots for the service population, could change the total CO₂E per service population during construction hours and non-construction hours. Construction activities associated with the project would result in emissions of CO₂, CH₄ and N₂O in amounts which will not exceed the SCAQMD thresholds. The emissions quantities are provided in the Air Quality section of this Initial Study. For construction-phase project emissions, GHGs are quantified and amortized over the life of the Project. To amortize the emissions over the life of the project, SCAQMD recommends calculating the total greenhouse gas emissions for the construction activities, dividing it by a 30 year project life then adding that number to the annual operational phase GHG emissions. As such, construction emissions were amortized over a 30 year period and added to the annual operational phase GHG emissions.

Essentially, for the purposes of this project, the service population for the proposed manufacturing uses would be the employees and vendors. The proposed parking lot capacity of

21 spaces was factored to account for the estimated service population. A conservative assumption was made wherein each of the total parking spots would serve one member of the service population, being a total of 42. As shown on Table VII-1, the project's operational emissions would generate a total of 143.0891 MTCO₂e. Therefore, the project would result in 3.41 MTCO₂e per service population (143.0891 MTCO₂e divided by 42 persons), which is lower than the threshold of 4.8 MTCO₂e per service population per year and thus would not exceed the SCAQMD/City's screening threshold. Marginal increases to the service population would continue to lower the amount of emissions generated because the total operational emissions would be divided by more individuals. Moreover, the proposed project would not exceed the SCAQMD interim GHG significance threshold of 10,000 MTCO₂e for permitting activities related to industrial (stationary source) projects for which the SCAQMD is the lead agency. As such, project-related emissions would not have a potential significant direct or indirect impact on GHG and climate change. Less than significant impacts are expected.

b) Less Than Significant Impact.

California's Global Warming Solutions Act of 2006 (AB32) requires the State to reduce its GHG emissions to 1990 levels by 2020. California Air Resource Board (CARB) has identified measures to achieve this goal as set forth in the CARB Scoping Plan. The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to Projects where the SCAQMD is the lead agency. The Project would generate GHG emissions from a variety of sources which would all emit Carbon CO₂, CH₄, and N₂O. GHGs could also be indirectly generated by incremental electricity consumption and waste generation from the Project.

SB 32 adopted in 2016 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The Project reduces its GHG emissions to the maximum extent feasible as discussed in this document. Additionally, the project applicant would not actively interfere with any future City-mandated, state-mandated, or federally-mandated retrofit obligations enacted or promulgated to legally require development City-wide, state-wide, or nation-wide to assist in meeting state-adopted greenhouse gas emissions reduction targets, including that established under Executive Order S-3-05, Executive Order B-30-15, or SB 32.

The Project does not interfere with the state's implementation of (i) Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40% below 1990 levels by 2030 or (ii) Executive Order S-3-05's target of reducing statewide GHG emissions to 80% below 1990 levels by 2050 because it does not interfere with the state's implementation of GHG reduction plans described in the CARB's Updated Scoping Plan. The scoping plan includes provisions for the State providing 12,000 MW of renewable distributed generation by 2020, the California Building Commission mandating net zero energy homes in the building code after 2020, or existing building retrofits under AB 758. Therefore, the project's impacts on greenhouse gas emissions in the 2030 and 2050 horizon years are less than significant.

Mitigation: None

| VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: Palm Springs General Plan, 2007; Code of Federal Regulations (CFR Title 40, Part 261), EnviroStor, 2017; County of Riverside Multi-Jurisdictional Hazard Mitigation Plan, Chief John Hawkins & Peter Lent, 2012; GeoTracker, 2017; EPA Enforcement and Compliance History Online (ECHO), 2017

Setting

The current status of the project site is vacant land with distinct evidence of vegetation clearing and grading. The project, located in the service/manufacturing (M-1) zoning designation within the City of Palm Springs, is currently being used as overflow parking for surrounding businesses. Service/manufacturing uses in the project vicinity include an auto body shop, a plating and finishing business, a glass and window company, and an iron and electric company. The project proposes a new, two-story, 10,504-square-foot facility for the cultivation of cannabis. Cannabis cultivation is permitted within M-1 zones with the submission of a Conditional Use Permit and Regulatory Permit.

According to the Palm Springs General Plan, the City has many businesses that manufacture, transport, store, use and dispose of hazardous materials. The City, therefore, has the potential to be affected by

hazards and waste. The Hazardous Materials Sites Map, Figure 6-7 in the General Plan, identifies four (4) small quantity generators, and one (1) large quantity generator in the vicinity of the project site. The Risks of exposure of life, property, and the environment to hazardous and toxic materials and waste are decreased by requiring the proper disposal, handling, transport, delivery, treatment, recovery, recycling, and storage of hazardous materials, in accordance with applicable federal, state and local regulations.

Riverside County, along with the City of Palm Springs and other cities within the county, developed the County of Riverside Multi-Jurisdictional Hazard Mitigation Plan in 2012. The Plan was established to identify the County's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to mitigate, reduce, or eliminate long-term risk to people and property from natural and man-made hazards. The Riverside County Department of Environmental Health and Hazardous Materials Management Division (DEH-HMMD) is responsible for coordinating hazardous material planning and response efforts with city departments, as well as local and state agencies. The goal is to improve public and private sector readiness, and to mitigate local impacts resulting from natural or man-made emergencies. The Hazardous Materials Division of the Riverside County Fire Department deals with the hazardous materials coordination and inspection in the City (Palm Springs General Plan, 2007). Further discussion of the potential hazards at the project site is stated below.

Discussion of Impacts:

a) Less than Significant Impact.

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials based on ignitability, reactivity, corrosivity, and/or toxicity properties. The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or a health hazard during normal exposure or an accidental release. As a result, the use and management of hazardous or potentially hazardous substances is regulated under existing federal, state and local laws. Hazardous wastes require special handling and disposal methods to reduce their potential to damage public health and the environment. Manufacturer's specifications also dictate the proper use, handling, and disposal methods for the specific substances.

Construction activities are expected to involve the temporary management and use of solvents and other potentially flammable substances. Some of these materials would be transported to the site periodically by vehicle and would be stored in designated controlled areas on a short-term basis. When handled properly by trained individuals and consistent with the manufacturer's instructions and industry standards, the risk involved with handling these materials is considerably reduced. The contractor will be required to identify a controlled area within the project limits for storing materials and equipment, and will be required to implement best management practices to assure that impacts are minimized and that any minor spills are immediately and properly remediated.

The project proposes a new, 10,504-square-foot cannabis facility, located within a service/manufacturing (M-1) zoning designation. The project's cultivation of cannabis utilizes a non-volatile extraction process involving materials such as water, ice, alcohol or hydrogen peroxide, and cannabis. The site is not expected to use or handle hazardous materials other than properly labeled fertilizers and approved natural pesticides and fungicides. These materials will

be stored in secured spaces and applied according to manufacturer's instructions to prevent incidental release of hazardous materials or explosive reactions. The proposed processing operations are not expected to involve the routine transport, use or disposal of hazardous materials in quantities or conditions that would pose a hazard to public health and safety or the environment. Less than significant impacts related to the routine transport, use or disposal of hazardous materials are expected.

b) Less than Significant Impact.

The project site is located within a designated service/manufacturing (M-1) zoning sector of the City that is separated from residential or other densely populated land uses. The closest residential community to the project site is approximately 300 feet west of the property. As previously discussed, project operations are not expected to handle or generate any significant quantities of hazardous materials. Any other use of potentially hazardous substances, is expected to occur in small quantities and managed on-site with the proper containment and facilities, as required by industry standards.

The application and management methods of fertilizers and crop protection agents would be required to comply with all manufacturer-specific instructions, precautionary requirements, and accidental release measures. In most cases, it would be a violation of Federal law to apply these products in a manner that is inconsistent with the instructions provided in each corresponding product labeling.

The most common restrictions prohibit the products from being applied directly to water or areas where surface waters are present. These substances would be stored and applied according to the manufacturer's instructions to reduce the potential for incidental release or reactions. Cleaning of equipment shall not result in water contamination. The products shall not be applied either in a way that come in contact with workers or other persons, directly or through drift. Only protected handlers may be present in the area during application. The application and management methods are also subject to requirements pertaining to training, decontamination, notification, and emergency assistance. Any wastes resulting from the use of these products may only be disposed of in a landfill approved for pesticide or hazardous material disposal, or in accordance with the applicable federal, state or local procedures.

Toxic cleaning compounds, sanitizing agents, solvents, and potentially flammable materials may also be involved within the proposed facilities. The use of these products would also be subject to the manufacturer's specifications, as well as local, state, and federal regulations that would help protect against accidental release, explosive reactions, injury and contamination.

The project operator would be required to provide the proper storage facilities and containers designed to protect and isolate these substances, therefore minimizing the threat to the public or the environment. Facility employees shall be trained on safety rules to prevent personal or public risk. Solid waste produced by the project will be stored in designated enclosures. Cannabis waste shall be made unusable and unrecognizable. Less than significant impacts are expected.

c) No Impact.

The project site is not located within a quarter-mile of an existing or proposed school. The nearest school to the project site is the Vista del Monte Elementary School located approximately 0.50 miles to the southeast, at 2744 N. Via Miraleste. Therefore, no impacts to schools are anticipated.

d) Less than Significant Impact.

Record searches on the project property were performed within multiple database platforms compiled pursuant to Government Code 65962.5 and its subsections. The resources consulted included GeoTracker, EnviroStor and the EPA Enforcement and Compliance History Online (ECHO).

GeoTracker is a database maintained by the State of California Water Resources Control Board that provides online access to environmental data. It serves as the management system for tracking regulatory data on sites that can potentially impact groundwater, particularly those requiring groundwater cleanup and permitted facilities, such as operating underground storage tanks and land disposal sites.

EnviroStor is a database maintained by the State of California Department of Toxic Substances Control (DTSC). The EnviroStor database identifies sites with known contamination or sites for which there may be reasons to investigate further. It includes the identification of formerly contaminated properties that have been released for reuse; properties where environmental deed restrictions have been recorded to prevent inappropriate land uses; and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

The ECHO database focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data.

On May 14, 2018, a search was performed on all three database platforms. The search results did not identify any records or sites in connection with the project property or located within a distance of one quarter-mile (1,320 feet). No Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks are registered on the project property.

The GeoTracker database listed one LUST Cleanup Site within a quarter-mile of the project property. This site included Lumberman's, located at 3455 North Indian Canyon Way, approximately 1,000 feet east of the proposed site. The cleanup status of "completed-case closed" was achieved on June 14th, 1993.

No cleanup sites were found within the search radius of the EnvironStor database. However, when consulting the final registry, ECHO, there were six facilities listed within the a quarter mile from the project site. The closest registered facility includes Palm Springs Plating, located approximately 125 feet southeast of the proposed site at 345 Del Sol Road. This site was listed under the Clean Air Act (CAA), Clean Water Act (CWA), and the Resource Conservation and

Recovery Act (RCRA) as a large quantity generator (LQG). Champion Bearing, located at 401 Radio Road and approximately 325 feet west of the project site, is listed by the RCRA as a small quantity generator (SQG). Approximately 375 feet southeast of the proposed property is Peter Epstein, at 340 San Rafael, which was also listed by the RCRA as a SQG. Palm Springs Recycling sits approximately 425 feet northeast of the project site at 280 Oasis Road, and is listed under the CWA as a general permit covered facility. Kwik Kleen of the Desert and H&H Automotive Repair are two properties approximately 850 feet east of the site, listed by the RCRA as SQGs. Although the listed sites are registered within ECHO, none of the sites currently hold violations. Therefore, are not expected to affect the project site.

The project is not listed within a hazardous materials registry, and is not anticipated to create a significant hazard to the public or the environment. The surrounding properties registered within the hazardous materials databases are not expected to have a significant effect on the environment and surroundings due to their designations of completed- case closed or no violation. Less than significant impacts are anticipated.

e) Less than Significant Impact.

The project site is located approximately two miles northwest of the Palm Springs International Airport. The project property lies within Zone E according to the Compatibility Factors Map established by the Riverside County Airport Land Use Commission (ALUC). The purpose of the ALUC and airport compatibility maps is to articulate procedures and criteria, established in accordance with the California State Aeronautics Act. Compatibility Zone E is the outer-most boundary within the airport compatibility zone. Both the noise and risk level are considered low in these areas.

Compatibility Zone E, as determined by the ALUC, does have minor restrictions for developments within this zone. One restriction requires buildings, antennas and other structures within this zone to not exceed 150 feet in height. Additionally, Zone E prohibits any project having the potential to create electrical or visual hazards to aircraft in flight; lighting which could be mistaken for airport landing; surfaces that create glare in the eyes of pilots or aircraft using the airport; and structures that impair visibility near the airport. The project site shall comply with these restrictions outlined by the ALUC for Compatibility Zone E. Overall, Less than significant impacts are anticipated related to this issue.

f) No Impact.

The project is not within the vicinity of a private airstrip. No impacts are expected.

g) Less Than Significant Impact.

Under the City's General Plan, Safety Element "Disaster Preparedness, Response and Recovery" section, the City of Palm Springs participates in the Standard Emergency Management System (SEMS). Depending on the type of emergency, several different agencies may be called in to assist with emergency response. Agencies that can be expected as part of an emergency response include, medical, fire and rescue, police, public works, and coroner. The closest fire station to the proposed project is Palm Springs Fire Department Station 3, located at 590 East Racquet Club Road. Station 3 is located approximately 1.25 driving miles southeast of the property. In preparation for potential disasters, the City of Palm Springs participates in the Federal

Emergency Management Agency’s (FEMA) Community Emergency Response Training (CERT) program. The CERT program provides residents the skills and knowledge to prepare and respond to a disaster by providing basic fire suppression, select and set up treatment areas, employ basic treatments for various injuries, and provide search and rescue efforts. Additionally, the general plan and local development standards require that all new projects incorporate adequate egress systems into project design and that they are evaluated to ensure that proper police and fire protection is available.

The proposed operations in the existing building will not physically interfere with an emergency evacuation or response plan. Project implementation may require additional review by the City of Palm Springs Planning and Engineering departments and by the City’s Fire and Police departments. The site may also be reviewed to ensure that the facilities maintain the adequate dimensions and configurations for accommodating the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains. Other measures may include the use of fire resistant construction materials such as stucco and fire resistant roof materials to reduce the degree of fire damage. Less than significant impacts are anticipated.

h) Less than Significant Impact.

The project site is located in a developed area of the City and surrounded by a combination of developed and undeveloped uses. The site is not adjacent to or intermixed with areas susceptible to wildland fires. The Riverside County General Plan and City of Palm Springs General Plan EIR indicate the project area is not within the Very High Severity Zone, and the site is listed as being in a Non-Very High Fire Hazard Severity Zone on the Cal Fire Map Local Responsibility Area (LRA) Map for Western Riverside County. The project site is not located near or adjacent to any wildfire areas.

Mitigation Measures: None

| IX. HYDROLOGY AND WATER QUALITY -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? | | | | |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: FEMA Flood Insurance Rate Maps (FIRMs), Federal Emergency Management Agency (FEMA); Project-Specific Water Quality Management Plan, 2018.

Setting

The project site, located at 3573 N. Anza Road in the City of Palm Springs, proposes a new cannabis cultivation facility. The approximately 0.34-acre project site sits within the service/manufacturing zoning designation, in which cannabis facilities are permitted. The Federal Emergency Management Agency (FEMA) evaluates potential flood hazards for the City. The FEMA Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying those potential hazards and determining the need for and availability of federal flood insurance. According to FIRM panel 1556G, effective August 28, 2008, the entire project and its immediate surroundings are located in an area subject to the 0.2 percent annual chance flood (Zone X Shaded). Based on the FIRM definition, this zone applies to areas protected from the 1-percent-annual-chance flood by a levee, areas within the 0.2-percent-annual-chance floodplain, areas of the 1-percent-annual-chance flooding where average depths are less than 1 foot, and areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile.

As stated in previous discussions, the current condition of the project property is characterized as vacant land that has been cleared of vegetation and graded. The project proposes a two-story, 10,504-square-foot building, with associated improvements, landscaped features and parking lot. According to the grading plan provided in the project-specific Preliminary Water Quality Management Plan (WQMP), onsite runoff will travel towards the property's southern boundary, and east toward N. Anza Road. The south-flowing runoff will be held in a proposed 0.02-acre retention basin and drywell. The basin is designed to hold a volume of 195 cubic feet, while the drywell is designed to hold 188 cubic feet of runoff. According to the Hydrology Study completed for the project site, it was concluded that onsite retention is not required. The project will be required to comply with the best management practice (BMP) requirements of the Whitewater River Region Water Quality Management Plan Template. For projects that do not retain 100 percent of the runoff onsite, they must treat runoff using either the Volume BMP (VBMP) or QBMP method. The project elected to implement the VBMP method, which specifies that the project must retain 358 cubic feet of storage prior to discharge from the site. The

project site is designed to retain approximately 383 cubic feet, 25 cubic feet more than required, per the Hydrology Study.

Discussion of Impacts:

a) Less than Significant Impact.

The Clean Water Act (CWA) of 1972 establishes regulations pertaining to the discharge of pollutants to waters of the U.S. from point sources. Subsequent amendments to the CWA in 1987 established a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). In the State of California, the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs) administer the regulation, protection and administration of water quality pursuant to the NPDES. Their regulations encompass storm water discharges from construction sites, municipal separate storm sewer systems (MS4s), and major industrial facilities. The proposed project is located within the Whitewater River Watershed in the Colorado River Region (Region 7). The City of Palm Springs is a Permittee of the Whitewater River Watershed MS4. Individual projects, like the proposed development, are required to comply with these existing regulations.

The proposed cannabis cultivation project will result in a temporary and permanent disturbance area of less than one acre. As a result, it does not reach the one-acre threshold prompting the requirement of coverage under the State's most current Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). However, the project is expected to implement standard construction best management practices (BMPs) to reduce potential impacts to surface water quality during the period of construction. Erosion prevention, good site housekeeping, proper waste management, and proper material handling and storage will be required from the project during construction. These activities will only be allowed within the established project limits (less than one acre). As a standard condition, if unforeseen construction conditions result in an expansion of the temporary disturbed surface area to one acre or greater, the project proponent will be required to implement a Storm Water Pollution Prevention Plan (SWPPP).

During construction, the project will also be required to comply with South Coast Air Quality Management District's (SCAQMD) Rule 403 and 403.1, which prompt the requirement for preparation and implementation of a Fugitive Dust (PM10) Control Plan. Although implementation of the Fugitive Dust Control Plan largely pertains to air quality, it also helps prevent violation of water quality standards and wastewater discharge requirements through the requirement of perimeter controls and soil stabilization measures to prevent sediment erosion and track out. The concurrent implementation of the required SWPPP and Dust Control Plan plans will prevent the potential construction-related impacts to water quality at the site and its surroundings, therefore resulting in less than significant impacts.

The proposed cultivation site is located within the City of Palm Springs's service/manufacturing (M-1) zone, which has paved streets and curb and gutter improvements implemented. According to the Hydrology Study completed for the project site, it was concluded that 100 percent onsite retention is not required. However, the project will be required to comply with the BMP

requirements of the Whitewater River Region Water Quality Management Plan Template. For projects that do not retain 100 percent of the runoff onsite, they must treat runoff using either the Volume BMP (VBMP) or QBMP method, in which the project elected to implement the VBMP method. This method specifies that the project must retain 358 cubic feet of storage prior to discharge from the site.

Moreover, the project proponent developed and will implement a project-specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The project-specific WQMP identifies a strategy of site design, source controls, and treatment controls with a maintenance and monitoring program implemented throughout the life of the project. Additionally, the project-specific WQMP addresses post-construction runoff quality and quantity. According to this plan, onsite runoff will flow primarily south and east. Per the WQMP Site Plan, a retention basin and drywell will be located at the property's southern boundary. The volume of the basin is 195 cubic feet, while the volume of the drywell is 188 cubic feet. As stated previously, the project is required to retain 358 cubic feet of runoff, and per the WQMP Site Plan, the volume held by the retention basin and drywell will retain 383 cubic feet of runoff; therefore meeting this retention requirement. Additional onsite runoff will be directed east, towards North Anza Road, where the runoff will flow onto the street and south.

The project site shall implement and follow all of the BMPs outlined within their project specific WQMP and Fugitive Dust Control Plan in order violating water quality standards or waste discharge requirements per City and State standards. Less than significant impacts are anticipated.

b) Less than Significant Impact.

The Desert Water Agency (DWA) is the primary domestic water supplier for the City of Palm Springs and the project area, which includes the project site. DWA operates according to an Urban Water Management Plan (2011 UWMP) to help plan for current and future water demands. Project implementation of a new two-story, 10,504 square foot building, and parking lot facilities will result in an incremental increase in the use of water resources in the services/manufacturing zone. The proposed development will be expected to implement water conservation measures to reduce impacts to public water supplies. These measures include low-flow plumbing fixtures and drought-tolerant (native) outdoor landscaping. The project site presently does not host any groundwater recharge facilities and will not disturb any area within the Whitewater River Flood Plain that could alter natural, in-river recharge patterns. Less than significant impacts are anticipated.

c) Less than Significant Impact.

The project is located within a service/manufacturing neighborhood that does not have any existing natural drainages, such as streams or rivers that would be affected through an alteration or increase in erosion or siltation, on- or off-site. Presently, the pattern of runoff in the project area is governed by the existing facilities that surround the project property to its north, south and east.

The proposed facility and parking lot will result in a conversion of pervious to impervious land cover through the introduction of hardscape, rooftops, and asphalt in an area of less than one acre. Such alteration would typically result in a site-specific increase in the amount and rate of stormwater runoff. To prevent changes to local drainage conditions (patterns, quantities, or velocities) that can potentially result in an increase in erosion and sedimentation impacts, the project will incorporate engineered storm drain facilities. The proposed precise grading and drainage design, located within the project specific WQMP, dictates the conveyance (surface and piped flows) from the project's impervious land cover into the retention basin and drywell located along the property's southern boundary. According to the Hydrology Study conducted by engineer Benjamin Egan, the proposed retention basin and drywell will hold 383 cubic feet; 25 cubic feet more than the property's required amount. Additional runoff will be directed to the east-adjacent street, N. Anza Road. The design allows for the distribution of runoff with the intent to reduce or manage the velocity, concentration, and quantity of runoff.

The design and maintenance of these facilities, along with non-structural source control measures, are reflected in a project specific WQMP, which will be subject to review and approval by the City Engineer. As a result of these improvements, the project will not result in storm runoff discharge conditions that would significantly impact the existing stormwater drainage system, any local drainage courses, or result in any substantial increases in erosion or siltation. Less than significant impacts are anticipated.

d) Less than Significant Impact.

The project area does not have any existing natural drainages, such as streams or rivers. Presently, the pattern of runoff in the project area is governed by the existing engineered improvements that include surface and piped conveyances into existing facilities. With the completion of the Master Drainage Plan for the Palm Springs Area, the pattern of runoff in the project area will flow to Lateral Line 3F, and subsequently to Line 3. Line 3, south of the project site on East San Rafael Drive, is designed to convey storm flows into the existing Whitewater River to the east. The project of less than one acre will include the necessary storm drain facilities to properly manage the storm water runoff generated on-site. Any runoff volume and rate in excess of the system's capacity will be conveyed into the existing Lateral Line 3F to Line 3 of the Master Drainage Plan for the Palm Springs Area.

The project's relatively small area and incremental increases in imperviousness are not expected to result in surface runoff conditions that would result in flooding on- or off-site. Less than significant impacts are anticipated.

e) Less than Significant Impact.

The project proponent is required to prepare and submit a project-specific WQMP for review and approval by the City Engineer prior to issuance of a grading or building permit. The WQMP addresses the implementation of operational best management practices necessary to accommodate project runoff and to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. As of March 2018, the project submitted a project-specific Preliminary WQMP.

The project-specific WQMP identifies the necessary site design, source controls, and treatment controls with a maintenance and monitoring program that, throughout the life of the project, will address post-construction runoff quality and quantity. The site plan, grading design and storm drain design are factored in the project-specific WQMP development. Through this required compliance, the project helps prevent impacts to the local receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. The project-specific WQMP also outlines the required maintenance practices necessary to ensure that the water quality facilities remain effective during the life of the project.

The project site design, as stated throughout this document, requires partial on-site runoff to flow onto North Anza Road, and into the City's storm drain. As a standard condition, the project shall pay the \$7,110.01 per acre drainage fee to the City, as determined within the City of Palm Spring's Comprehensive Fee Schedule for fiscal year 2017 to 2018. Payment of this fee will mitigate the project's untreated runoff. With the compliance of the WQMP and payment of the City drainage fee, less than significant impacts relative to the substantial degradation of water quality are expected.

f) Less than Significant Impact.

The project is expected to reduce potential impacts to water quality by complying with the relevant regulatory programs during construction and throughout the life of the project (operation). Compliance will involve the development of detailed plans to demonstrate the appropriate implementation, recordkeeping and monitoring activities that address the water quality objectives and prevent any violations.

The proposed project is expected to implement standard construction BMPs to reduce potential impacts to surface water quality during the period of construction. Erosion prevention, good site housekeeping, proper waste management, and proper material handling and storage will be required from the project during construction within the project confines. Any discharge of non-stormwater flows from the site, such as sediment-laden runoff, is prohibited. As a standard condition, if construction conditions result in an expansion of the temporary disturbed surface area to one acre or greater, the project proponent will be required to implement a Storm Water Pollution Prevention Plan (SWPPP).

As previously discussed, the development and implementation of operational best management practices pursuant to a project-specific WQMP will comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The project-specific WQMP identifies a strategy of site design, source controls, and treatment controls with a maintenance and monitoring program to address post-construction runoff quality and quantity. Therefore, the project helps prevent impacts to the local receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. Less than significant impacts relative to the substantial degradation of water quality are expected.

g) No Impact.

The proposed project does not involve permanent housing facilities. The Federal Emergency Management Agency (FEMA) evaluates potential flood hazards for the City. The FEMA Flood

Insurance Rate Maps (FIRMs) serve as the basis for identifying those potential hazards and determining the need for and availability of federal flood insurance. As stated previously, the entire project and its immediate surroundings are located in an area subject to the 0.2 percent annual chance flood (Zone X Shaded). Based on the FIRM definition, this zone applies to areas protected from the 1-percent-annual-chance flood by a levee, areas within the 0.2-percent-annual-chance floodplain, areas of the 1-percent-annual-chance flooding where average depths are less than 1 foot, and areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile. Conclusively, the proposed improvement plans will be subject to agency review and approval to ensure that the proposed grading and drainage conditions are acceptable to the City's standards. Development of the project will not place structures or housing within a 100-year flood hazard area. No impacts are anticipated.

h) No Impact.

As previously mentioned, the proposed cannabis cultivation building and parking lot facilities will be implemented within an existing service/manufacturing neighborhood, which is not located within a 100-year flood hazard area; therefore, the project would not impede or redirect 100-year food flows. No impacts are anticipated.

i) No Impact.

Flood and dam inundation hazards within the City are identified in the Safety Element of the Palm Springs General Plan. Specifically, the Flood Hazards map (Figure 6-5) identifies a series of zones that are prone to inundation hazards. The project is located outside of the Tachevah Creek Detention Reservoir Dam failure inundation pathway. The closest levee to the project site is the Chino Canyon Levee, located approximately over 0.50 miles north of the site. The Chino Canyon Levee System was federally authorized and subsequently constructed by the United States Army Corps of Engineers (USACE). It is not entirely owned, operated and maintained by the Riverside County Flood Control and Water Conservation District (RCFC & WCD). The levee protects the northern part of the highly developed Palm Springs area from 100- and 500-year flooding from Chino Creek and the Whitewater River (Palm Springs General Plan, 2007). Therefore, the project will not introduce people or structures in an area with risk of flooding resulting from the failure of a levee or dam. No impacts are anticipated.

j) Less than Significant Impact.

As stated in the previous discussion, the proposed project is located approximately 0.50 miles south of the (certified) Chino Canyon Levee. This levee protects the property from seasonal flooding. According to the Geotechnical Investigation provided by Sladden Engineering, the project site is situated at an inland location, and is not immediately adjacent to any impounded bodies of water. Additionally, the project site is not located near areas with the potential for inundation by seiche, tsunami, or mudflow. Therefore, less than significant impacts are expected.

Mitigation Measures: None

| X. LAND USE AND PLANNING - Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: Palm Springs General Plan, 2007.

Setting

The project site, located at 3573 North Anza Road in the City of Palm Springs, proposes a two-story facility for the cultivation of cannabis. The approximately 0.34-gross-acre project site sits on a previously cleared and compacted vacant lot, which is currently being used for overflow parking for surrounding businesses. The project site, and surrounding area, sits within the service/manufacturing (M-1) zone in the City. Per the Palm Springs Zoning Ordinance, the M-1 zoning designation intends to provide for the development of service industries for commercial and hotel uses and for industrial uses.

The sites General Plan Designation is Mixed use/Multi-use (MU) which is intended to allow for community serving retail, commercial, professional offices, and services businesses. The site is currently characterized as vacant land that has been cleared of vegetation and compacted. The site is currently utilized as overflow parking by surrounding businesses. The project proposes a two-story 10,504 sf cannabis cultivation facility, which is permitted within this zone with the submission of a Conditional Use Permit and required cannabis permit.

Surrounding uses to the north, east and south include service/manufacturing facilities that vary from one and two-stories. Immediately west-adjacent of the project site is an approximately 5-acre vacant lot. The vacant lot is separated from the project site by barbed wire fencing. In addition to barbed wire fencing, overhead distribution power lines runs along the western property boundary.

Discussion of Impacts:

a) No Impact.

As previously stated, the project site sits on two recently merged parcels within the service/manufacturing (M-1) zone in the City of Palm Springs. The project site is currently disturbed vacant land, cleared of vegetation. The project proposes to construct a two-story, 10,504sf cannabis cultivation facility. Surrounding land uses to the north, south, east and west includes service/manufacturing facilities, ranging from one to two-stories. Existing industrial buildings abuts the north and south project boundaries, while the east property boundary lies

immediately adjacent to North Anza Road. A 5-acre vacant lot abuts the eastern property boundary, also within the service/manufacturing zoning designation. The project site will not physically divide an established community. No impacts are anticipated.

b) Less than Significant Impact.

As discussed previously, the M-1 zone, in which the project site resides, is intended to provide for the development of service industries for commercial and hotel uses and for industrial uses. The project proposes a 10,504sf, two-story cannabis cultivation facility, according to the Palm Springs Municipal Code 93.23.15, medical cannabis facilities and adult use cannabis facilities are allowed within service/manufacturing zones with the submission of a Conditional Use Permit and cannabis Regulatory Permit.

The project site shall comply with the property development standards outlined in Palm Springs Municipal Code for facilities located within service/manufacturing zones (Municipal Code 92.17.03) and cannabis facilities within the City (Municipal Code 5.45). In addition, the site is within close proximity to the Palm Springs International Airport and is located with the Airport Land Use Commission’s (ALUC). Compatibility Zone E is the airport environs zone and there are currently no incompatible uses within this zone. Height restrictions are implemented in this zone and may not exceed 150 feet. Additionally, any project having the potential to create electrical or visual hazards to aircraft in flight is prohibited. The proposed project is approximately 32’ feet in height and does not include any electrical hazards.

The project’s location is compatible with the surrounding land uses, the City’s General Plan and Zoning designation and is not an incompatible use with the ALUC Compatibility Zone E. Therefore, less than significant impacts are anticipated.

c) Less than Significant Impact.

The project lies within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), therefore must pay a mitigation fee to the Coachella Valley Association of Governments (CVAG), which helps support the acquisition of land and protect and manage the Coachella Valley threatened and endangered species. Based on these provisions, the applicable fees would be collected prior to issuance of building permit. Since the project will comply with the CVMSHCP, less than significant impacts are expected to result from project implementation.

Mitigation Measures: None

| | | | | |
|--|--|--|--|--|
| | | | | |
|--|--|--|--|--|

| XI. MINERAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: Mineral Land Classification Map, 2007; Palm Springs General Plan, 2007.

Setting

Mining activities have been seen in the Santa Rosa and San Jacinto Mountains, along with the high desert areas since the late 1800s. Established mining areas within Palm Springs include minerals such as: asbestos, beryllium, gold, limestone, tungsten, copper, garnet, and tourmaline. Limestone deposits, however, are the most common (Palm Springs General Plan 2007). The Geotechnical Investigation, provided by Sladden Engineering, uncovered native alluvial soil at the project site consisting primarily of gravelly sand, which were medium dense to very dense and fine to coarse-grained with cobbles and boulders.

Discussion of Impacts:

a) No Impact.

In accordance with the Surface Mining and Reclamation Act of 1975 (SMARA), mineral land classification maps and reports have been developed to assist in the protection and development of mineral resources. Local agencies, including the City of Palm Springs, utilize the existing information on mineral classifications for land use and plan development and decision making.

According to the Palm Springs General Plan the project and its surroundings are located within the Mineral Resource Zone 2a (MRZ-2a), which applies to areas where geologic data indicate that significant measured or indicated mineral resources are present. The project is located in an existing service/manufacturing zone, surrounded by other manufacturing development which is incompatible with mining operations; therefore, project implementation would not result in the loss of any known mineral resources that are considered important to the Coachella Valley Regions or residents of California. No impacts are expected related to the loss of availability of known mineral resources.

b) No Impact.

Mineral resources that are known to exist in the Coachella Valley region primarily consist of sand and gravel (aggregate) typically deposited along and near local drainages. Aggregate material is deemed necessary to the local building industry as a component of asphalt, concrete, road base, stucco and plaster. Local or regional construction industries tend to be dependent on readily available aggregate deposits within reasonable distance to the market region. The project

site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Palm Springs General Plan or the resource maps prepared pursuant to SMARA. No impacts are expected as a result of project implementation.

Mitigation Measures: None

| XII. NOISE -- Would the project result in: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: EPA: Clean Air Act Title IV, Palm Springs General Plan 2007: Noise Element, qcode: 11.74 Noise Ordinance

Setting

According to the United States Environmental Protection Agency (US EPA), the main sources of noise include road traffic, aircraft, railroad, construction, noise in buildings, and consumer products (EPA Clean Air Act Title IV – Noise Pollution). In any city, the main sources of traffic noise are the motors and exhaust systems of autos, trucks, buses, and motorcycles (Noise and its effects; Administrative Conference of the United States).

Stationary noise sources include: pool and spa equipment or heating, ventilation and conditioning (HVAC) units. Non-transportation-related noise can also come from the stationary operations of transport, such as railroad yards and truck depots used for loading and unloading. As these noise sources occur on private property, the associated land uses are subject to the local noise ordinance. Temporary

noise sources including: landscape maintenance activities, home stereo systems, and barking dogs are governed by the provisions of the City Noise Ordinance and Municipal Code.

The project site is located near the northwest corner of Anza Road and Del Sol Road, in the City of Palm Spring's service/manufacturing (M-1) zone. The site consists of two recently merged parcels. The proposed project consists of a two story 10,504 square foot cannabis cultivation facility at the undeveloped property addressed as 3573 N. Anza Road. The project, once completed will employ five individuals who will manage the cannabis cultivation daily from 7:00 am to 3:30 pm.

Discussion of Impacts:

a) Less than Significant Impact.

Noise is defined as unwanted sound that disrupts normal activities or that diminishes the quality of the environment. It is usually caused by human activity that adds to the existing acoustic setting of a locale. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud). The human ear does not respond uniformly to sounds at all frequencies, being less sensitive to low and high frequencies than to medium frequencies that correspond with human speech. In response to this, the A-weighted noise level or scale has been developed to correspond better with peoples' subjective judgment of sound levels. This A-weighted sound level is called the "noise level" referenced in units of dB(A). Noise levels in the City's General Plan are quantified on the basis of the Community Noise Equivalent Level (CNEL), which is a measurement scale that sets appropriate levels of noise based on land use types. CNEL is a 24 hour weighted scale that considers the more sensitive time periods in the evenings and at night, and weights them accordingly. Sensitive receptors, such as residences and schools, have a lower acceptable CNEL level than commercial or business park noise levels.

Goals and policies regarding land use compatibility with noise are identified in the Noise Element of the Palm Springs 2007 General Plan. The Noise Element contains guidelines for land use compatibility with various community noise exposure levels to prevent future noise conflicts. Community noise levels are identified as "normally acceptable", "conditionally acceptable", "normally unacceptable", or "clearly unacceptable" for each land use category. According to Palms Springs General Plan Noise Element, manufacturing uses are considered normally acceptable in areas where the exterior noise exposure does not exceed 75 CNEL, conditionally acceptable where the community noise exposure does not exceed 80 CNEL, normally unacceptable where noise exposure does not exceed 80 CNEL and clearly unacceptable where noise exposure levels exceed 85 CNEL. The City's General Plan also provides a variety of collected data and modeled noise impacts, some of which are represented in the projected noise contours for the City's roadways and freeways at General Plan buildout. Motor vehicle traffic generally represents a major source of continuous noise due to engine vibration, exhaust system and the interaction of tires with the roadway. The noise produced along a roadway is influenced by traffic volume, average speed and the percentage of trucks in the traffic composition.

The proposed project includes a two story 10,504 square foot cannabis cultivation facility at the undeveloped property located at 3573 N. Anza Road. The project building will face East and

situated on the northern portion of the property. Parking will be provided directly off of Anza Road and situated on the southern portion of the property.

The project site is currently vacant; the project site is currently exposed to noise by the surrounding uses. Based on the General Plan Noise Element's Future Roadway Community Noise (2025) Equivalent Level (CNEL) Noise Contours (Figure 8-5), the proposed cannabis cultivation site is located between the 60 and 65 CNEL noise contour associated with traffic conditions. The existing noise level is therefore considered an acceptable noise condition for commercial uses because it does not exceed 65 CNEL. The project is not anticipated contribute to increases in traffic volume adjacent to sensitive land uses. Buildings with standard construction usually achieve an outdoor to indoor noise reduction of between 20 and 25 dB. Therefore it expected that the structure will have an acceptable indoor noise environment and that existing buildings will not be subject to increases in noise exceeding the indoor standards due to the primarily indoor activities.

The potential for off-site noise impacts are further reduced by the Palm Springs Noise Ordinance (Municipal Code Section 11.74.041) and the Palm Springs Construction Site Regulations (Chapter 8.04.220). The Construction Site Regulations outlined in Municipal Code Chapter 8.04.220, limit the hours of construction work between 7:00 am and 7:00 pm Mondays through Fridays, 8:00 am to 5:00 pm Saturdays, and no work is permitted on Sundays and Holidays. In addition to the construction hour limitations, the following common industry standard practices will help reduce short-term noise impacts: All construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers and the engines should be equipped with shrouds.

Only approved haul routes shall be used to minimize exposure of sensitive receptors to potential adverse levels from hauling operations. All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires. Construction activities will be limited to the hours prescribed in the City Noise Ordinance, which are limited to the less sensitive daytime hours. Active work areas must be properly delineated to prevent construction-related circulation from occurring beyond the permitted areas or in unpermitted access points. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction. With these practices in place, no violations of the existing noise standards are anticipated. Less than significant impacts are anticipated.

b) Less than Significant Impact.

Groundborne vibration also referred to as earthborne vibration, can be described as perceptible rumbling, movement, shaking or rattling of structures and items within a structure. Groundborne vibration can generate a heightened disturbance in residential areas. These vibrations can disturb structures and household items while creating difficulty for residential activities such as reading or other tasks. Although groundborne vibration is sometimes perceptible in an outdoor environment, it is not generally deemed a problem as it is when this form of disturbance is experienced inside a building. Groundborne vibration can be measured in terms of amplitude and frequency or vibration decibels (VdB). Trains, buses, large trucks and construction activities that include pile driving, blasting, earth moving and heavy vehicle operation commonly cause these

vibrations. Other factors that influence the disturbance of groundborne vibration include distance to source, foundation materials, perimeter controls, soil and surface types.

The construction activities of the Project are expected to generate a short-term noise increases compared to the existing levels. Two types of noise impacts are anticipated during future construction activities. First, the transport of workers and equipment to the site would incrementally increase noise levels along the local roadways leading to and from the site. Second, noise will be generated by the actual on-site construction activities. The loudest construction noise is generally the grading phase, when more heavy equipment is used more consistently on a site. Noise levels are periodic and decrease significantly with distance, thus having less impact on sensitive receptors at greater distances.

Construction of the project will involve the temporary operation of vehicles and equipment that could result in localized, short-term vibration increases during the permitted hours of construction established by the City. After construction and during operation, the proposed cannabis cultivation facility development would not typically involve activities that would be expected to generate excessive vibration impacts. Adherence to the City's Noise Ordinance will continue to be a measure to restrict noise and vibration generation resulting from the future operations. Less than significant impacts are anticipated.

c) Less than Significant Impact.

As described previously (XII.a), the primary permanent noise sources will be vehicles traveling to and from the site, HVAC units, and grounds maintenance equipment. The vehicle mix will be comparable with existing vehicles on surrounding roads. The proposed project is not expected to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Noise generated by vendors and employees is expected to be consistent with noise levels at any commercial/manufacturing development, and will not exceed city standards. Project-related vehicles will be consistent with vehicles already using area roadways.

Long-term increases in noise resulting from the proposed development are anticipated to be primarily attributed to mobile sources along the access roadways in the Project area. Project-related generation of daily vehicle trips along the local access roadways, Radio Road to the north and Indian Canyon Road to the east, are expected to result in an incremental increase in ambient noise. Ambient noise will also be attributed to vehicular circulation within the existing commercial plaza parking lot areas. The permanent cannabis cultivation operations are not expected to contribute a substantial permanent increase in noise levels. Less than significant impacts are anticipated.

d) Less than Significant Impact.

Project implementation would result in short-term increases in noise levels during construction of the proposed project. However, the City's Municipal Code limits the time period that construction activities may occur, as specified by the City's Noise Control Ordinance. Construction is expected to occur only during the less sensitive daylight hours, when construction noise is less perceptible.

Two types of noise impacts should be considered during the construction phase. First, the transport of workers, equipment, and building materials to and from the construction site will incrementally increase noise levels along the roadways leading to and from the site. Second, the noise generated by the actual on-site construction activities should be considered.

The increase, although temporary in nature, could be audible to noise receptors located along the roadways utilized for this purpose. Even though there could be a relatively high single event noise exposure potential with passing trucks causing annoyance, the effect on ambient noise levels would be substantially less than 3 dBA when truck noise (87 dBA at 50 feet) is added to existing noise levels and averaged over a 24-hour period.

The highest construction noise level impacts would occur during building construction activities, when the unmitigated peak construction noise levels are expected to range as high as 91.7 dBA L_{eq} at a distance of 50 feet from the site boundaries of each location. High noise levels would also result from all construction activities, whether associated with specific facilities on specific sites, or with the extension pipelines to and from these sites. Sensitive receptors within the unmitigated 65 dBA L_{eq} noise contour boundaries may perceive a noise level impact when construction activities occur.

The City of Palm Springs has the authority to place and enforce restrictions on private activities that generate excessive or intrusive noise. With the required compliance, less than significant impacts are anticipated.

e) Less than Significant Impact.

The project is located approximately 2.2 miles from the Palm Springs International Airport and is located outside of the 70, 65 and 60 CNEL noise contours associated with this facility. Furthermore, the Palm Springs Airport Land Use Plan identifies the project as being in compatibility Zone E planning area. Following conditions applicable to Zone E. Height restrictions are to be implemented in this zone and may not exceed 150 feet. Additionally, any project having the potential to create electrical or visual hazards to aircraft in flight is prohibited. The proposed project is approximately 32' feet in height and does not include any electrical hazards. Less than significant impacts are expected.

f) No Impact.

The project is not located within the vicinity of a private airstrip. No impacts are expected.

Mitigation Measures: None

| XIII. POPULATION AND HOUSING – Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: Palm Springs General Plan 2007, Palm Springs Housing Element 2014; California Department of Finance Demographic Research

Setting

The City of Palm Springs has a current population of 47,706 which is a 1.2% increase from the 2017 population estimate of 47,157. The average persons per household (pph) are 2.02 persons, based on the housing estimate prepared by the California Department of Finance. Palm Springs has a large seasonal population that own second homes and visitors increase in the winter months.

Discussion of Impacts:

a) Less than Significant Impact.

As discussed in the Land Use and Planning section of this document, the proposed project involves the construction and operation of a two-story 10,504 sf cannabis cultivation facility, on approximately 0.34 acres in the City’s service/manufacturing (M-1) zone. This is a permitted use within this zone with the submission of a Conditional Use Permit and required cannabis permit. The proposed project will not generate substantial population growth in the area. The proposed cultivation facility will result in approximately 5-10 employees which are likely to be filled by existing residents. The project complies with the existing zoning and land use, and is located in an urban area of the City that is currently served by existing infrastructure, public services and utilities. No new extensions of roads or other infrastructure will be required. Therefore, approval and development of this project is not expected to significantly increase population growth in the City and less than significant impacts are expected.

b) No Impact.

The entire property is currently vacant land and designed by the City’s General Plan as Mixed Use and Multi-Use and zoned for service/manufacturing (M1) in an existing commercial and urban part of the City. There are no residential uses on the project site and the project does not propose any residential uses that would necessitate the construction of replacement housing. No impacts are anticipated.

c) No Impact.

The proposed site is currently vacant and the proposed action will not displace existing housing, affordable housing, or people. The project will not require replacement housing and no impacts are expected.

Mitigation Measures: None

| XIV. PUBLIC SERVICES – | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: Palm Springs General Plan 2007, City of Palm Springs Police and Fire Website.

Setting

Fire

The Palm Springs Fire Department (PSFD) provides a full range of fire protection services 24 hours a day 7 days a week. The department operates five fire stations that cover 96 square miles with a daily staff of 19 personnel. The stations are strategically located throughout the City to maintain the standard response time of five minutes or less.

Police

Police services are provided to the City by the Palm Springs Police Department (PSPD). The department currently has 93 sworn police officer positions, which includes the Chief, 2 Captains, 4 Lieutenants, 14 sergeants, and 72 officers. The PSPD is headquartered at 200 South Civic Drive and also has a Downtown substation for bicycle patrol at 105 S. Indian Canyon Drive.

Schools

Palm Springs Unified School District (PSUSD) provides education services to the City. The School District current facilities include sixteen elementary schools, five middle schools and four high schools. The District also offers continuation high school, independent study program, head start programs, and

adult education. Within the City of Palm Springs, the PSUSD operates four elementary schools, one middle schools and one high school.

Parks

The City of Palm Springs owns and maintains approximately 156 +/- acres of parkland and has a mix of specialty parks, local parks and neighborhood and community parks. Additionally, the City owns 160–acres of golf courses, many of which are open to the public. Parks and Recreation services are provided by the Palm Springs Recreation Division.

Discussion of Impacts:

a) Fire Protection

Less than Significant Impact.

The project is proposing the development of a 2-story 10,504 sf cannabis cultivation facility with associated parking improvements. The nearest fire station to the project site is Station No. 443, located at 590 E. Racquet Club and is approximately 1.3 miles away. Development of the site would increase the demand for fire services; however due to the close proximity of Station 443, adequate response times of 5-minutes or less would be met.

The project will be required to implements all applicable and current California Fire Code Standards and shall be reviewed and approved by City and Fire officials to ensure adequate fire service and safety as a result of project implementation. Therefore, less than significant impacts are anticipated.

b) Police Protection

Less than Significant Impact.

Development of the proposed cultivation facility is not expected to hinder the City’s ability to provide police protection and emergency services. The project site has adequate emergency vehicle access and all permitted adult cannabis businesses are required to implement sufficient security measures per Chapter 5.55.210 of the City’s Municipal Code. Additionally, the site will be designed with defensible space components which will aid with the security of the project. Furthermore, the project design will undergo review by City and Police staff to ensure adequate service and service times are met. Therefore, less than significant impacts are anticipated.

c) Schools

Less than Significant Impact.

The proposed project lies within the Palm Springs Unified School District (PSUSD). Development of the project would not create a direct demand for school services. The project is proposing a cannabis cultivation facility and employment generated by the project would not be expected to draw a substantial number of new residents that would generate school age children requiring public education. Although the project will not add to the demand of school services, the project proponent will pay the required developer fee in place at the time of permits to PSUSD. Less than significant impacts to school services are expected.

d) Parks

No Impact.

As previously discussed, the project proposes a 2-story, 10,504 square foot cannabis cultivation facility in a commercial area of the City. The proposed project would not create additional demand for public park facilities, nor result in the need to modify existing or the construction of new park facilities. No impacts are expected to parks.

e) Other Public Facilities

No Impact.

No increase in demand for government services or other public facilities is expected beyond those discussed in this section. No impacts are expected.

Mitigation Measures: None

| XV. RECREATION – | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Sources: Palm Springs General Plan 2014: Recreation

Setting

Palm Springs owns and maintains 156 acres of developed parkland, 160 acres of City-owned golf courses open to the public, as well as miles of developed greenbelts along major accesses throughout the city. Privately owned golf courses are also a part of Palm Springs recreational uses, and many of which are open to the public. The City of Palm Springs contains local parks, specialty parks, neighborhood parks, golf courses, greenbelts, public parkways, and state, federal, and tribal parks. Palm Springs requires a minimum of 5 acres of developed parks be available for every 1,000 residents, including 2.5 acres for neighborhood and community parks. For almost 60,000 residents, the city of Palm Springs currently has 316 acres of developed park area.

The City’s two neighborhood parks are the 21-acre Ruth Hardy Park and the 8-acre Victoria Park. They are located at the central and northern part of Palm Springs. Palm Springs also has three community parks; Desert Highland Park (an 18 acre park, northern Palm Springs), Sunrise Park (a 38-acre park), and DeMuth Park (a 61-acre park, located near Tahquitz Creek and Tahquitz Creek Golf Course). Palm Springs also has 11 golf courses that include championship and tournament level courses, for example; the 36-hole Tahquitz Creek Golf Resort, and the O-Donnell Golf Club.

Discussion of Impacts:

a) No Impact.

As previously discussed, the project proposes to construct a two story 10,504 square foot cannabis cultivation building on approximately 0.34 acres. The project does not include the construction of any new residential units. It is surrounded on all sides by commercial and manufacturing uses. No residential land uses are proposed and employment generated by the project would not cause a substantial increase to the existing neighborhoods or regional parks. No impacts related to the increased use of existing neighborhood and regional parks or other recreational facilities are expected.

b) No Impact.

The construction of the two story 10,504 square foot cannabis cultivation building will not involve a recreational facility. No construction or expansion of other recreational facilities is required for project implementation and no impacts are anticipated.

Mitigation Measures: None

| XVI. TRANSPORTATION/TRAFFIC – Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Palm Springs General Plan 2007; Egan Civil, Inc. 2018 Traffic Letter

Setting

The proposed project is located at 3573 N. Anza Road in Palm Springs, CA on approximately 0.34 acres. The project includes a 10,504 square foot structure intended to be utilized as a Cannabis Cultivation Facility. It is located on the west side of Anza Road, which is an existing improved road in the northern portion of Palm Springs. The site includes one proposed point of access on N. Anza Road that leads to the main parking and loading zone area that includes 12 parking spaces. 9 parking spaces are proposed on the east side of the building with direct access onto Anza Road. The project proposes to employ five staff members. Anza Road extends north to West Radio Way Road which connects to North Indian Canyon Drive to the east for regional access. Circulation and Parking will be consistent with City parking standards as determined by City Staff.

The proposed land use is consistent with the existing General Plan Designation of Mixed Use/Multi Use and it's Zoning designation of M-1 Service/Manufacturing Zone following submittal of a Conditional Use Permit.

Average Daily Trips (ADT) refers to the total number of vehicles that travel a defined segment of roadway over a twenty-four hour period. The standard most often used to evaluate the operating conditions of the transportation system is called level of service (LOS). LOS is a qualitative assessment of the quantitative effect of factors such as: speed and travel time, traffic volume, geometric features, traffic interruptions, delays, and freedom to maneuver, driver comfort and convenience, and vehicle operating costs. LOS allows operating conditions to be categorized as LOS "A" through LOS "F", where LOS "A" represents the most favorable free flow condition and LOS "F" the least favorable forced flow driving condition. The LOS categories are based on relative levels of driver acceptability of various delays. A given lane or roadway may provide a wide range of service levels, depending upon traffic volumes and speeds.

Roadway capacity has been defined as the maximum number of vehicles that can pass over a given roadway during a given time period under prevailing roadway and traffic conditions. The capacity of a roadway used for design purposes (generally defined as LOS D) is the level at which the facility is handling the maximum traffic volume that it can accommodate while maintaining an acceptable level of driver satisfaction. The City of Desert Hot Springs has defined Level of Service "D" as the minimum adequate intersection service level during peak hours for planning and design purposes.

According to the General Plan, a traffic analysis was prepared for the entire City during the update process. The purpose of the analysis was to determine the LOS classifications on the City's future roadway network at buildout. The GP states that the dense grid-like structure of the existing circulation system allows traffic to filter throughout the City with minimal congestion-related delay. As a result, future traffic conditions on most City streets were forecasted to operate at or above LOS D.

A Traffic Letter was prepared by Egan Civil, Inc, dated April 3, 2018. This letter states that the ITE trip generation manual does not provide trip generation data for Cannabis Cultivation facilities. Egan Civil states that, in general, analysis of facilities involving growing operations commonly utilize the ITE Trip Generation Rate for Nurseries. This rate is equal to 5.43 Daily Trips per 1,000 Square Feet of structure. The proposed facility is anticipated to be approximately 10,405 Square Feet, which would result in approximately 57 Daily Trips. The traffic letter states that this is a low number of projected trips and

does not represent a significant impact. Additionally, the ITE rates for Nurseries include trips associated with retail sales, the proposed cultivation facility does not include retail sales, thereby making the estimate conservative. As mentioned previously, the facility is anticipated to employ approximately five staff members.

Discussion of Impacts:

a) Less than Significant Impact.

According to the project specific Traffic Letter prepared by Egan Civil, Inc., the proposed development is projected to generate approximately 57 daily vehicle trips in the N. Anza Road area. This accounting appears to approximate the PM Peak rate within the ITE Standards. The applicant has indicated that the anticipated employee count is 5. Utilizing the employee count as the quantifier and the Nursery (wholesale (818)) ITE rate, 2 trips associated with the project are anticipated in the PM peak hour. This number can also be considered conservative for the reason mentioned previously, no retail sales will take place at the proposed project.

As an alternative, the ITE trip generation rates for General Light Industrial are also utilized for cultivation facilities in certain cases. Because this project is located in an Industrial District, ITE Rates for Industrial land use were also utilized for comparison. General Light Industrial (110) rates are projected to be below that of the Nursery (wholesale (818) ITE rates.

ITE Trip Generation Rates – 9th Edition

| Description/ITE Code | Units | Weekday | Peak AM Rates | Peak PM Rates |
|--------------------------------|-----------|---------|---------------|---------------|
| General Light Industrial (110) | KSF | 6.97 | 0.92 | 0.97 |
| General Light Industrial (110) | Employees | 3.02 | 0.44 | 0.42 |
| Nursery (Wholesale 818) | KSF | 39.00* | 2.40 | 5.17 |
| Nursery (Wholesale 818) | Employees | 23.4* | 0.34 | 0.47 |

*Caution – Use Carefully – Small Sample Size

Project Trip Generation Rates

| Description/ITE Code | Units | Weekday | Peak AM Rates | Peak PM Rates |
|--------------------------------|-------------|---------|---------------|---------------|
| General Light Industrial (110) | 10.5 KSF | 73 | 10 | 10 |
| General Light Industrial (110) | 5 Employees | 15 | 2 | 2 |
| Nursery (Wholesale 818) | 10.5 KSF | 410 | 25 | 54 |
| Nursery (Wholesale 818) | 5 Employees | 117 | 2 | 2 |

The project is anticipated to primarily utilize Indian Canyon Drive for regional access. According to the Coachella Valley Association of Governments 2017 Traffic Census Report, approximately 15,467 trips were attributed to Indian Canyon south of the I-10. The Palm Springs General Plan indicates that this roadway is designated as a Major Thoroughfare (4-lane divided.) The intersection of Indian Canyon Drive and San Rafael Drive was identified as one of the 12

Critical Intersection analyzed as part of the General Plan Update process. Table 4-3, Critical Intersection Required Improvements, of the General Plan indicates that at the intersection of Indian Canyon Drive and San Rafael Drive, the existing lanes are adequate. This Table also indicates that no additional right of way requirements are necessary to maintain acceptable LOS.

According to the *Annual Volume Data Summary by Year 2017 Traffic Counts*, the maximum PM traffic trips (raw numbers) occurred on Indian Canyon Drive (south of the I-10) between the hours 3:30 pm and 5:30 pm and consisted of a total of 2,505 trips. Utilizing the maximum Nursery Wholesale (818) PM Peak hour of 57 trips provided by the traffic letter, project traffic is anticipated to add approximately 2.2% in raw trips to the existing PM peak hour traffic. This Annual Volume Data is provided on the City's website. Utilizing the maximum general light industrial PM peak hour rates of 10 trips, traffic will increase by approximately 0.5 %.

The proposed development is expected to result in an increase in the use of local circulation system compared to the current vacant condition of the property. However the proposed project will be located within an existing industrial center and will construct a facility compliant with existing Zoning and General Plan land use designations. Therefore it can be assumed that the development was accounted for in the buildout condition of the City. As mentioned previously, the GP determined that, at buildout, future traffic conditions on most City streets are forecast to operate at or above LOS D.

Anza Road is designated as a Local roadway in the General Plan. The GP states that these types of roadways are intended to provide access to individual parcels of land. The minimum right-of-way is 50 feet for public local streets. Typical street widths for local public streets and private streets are 36 feet. Anza is an existing paved roadway currently at its ultimate condition.

As is the case for any roadway design, the City of Palm Springs may periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

Improvement plans will be reviewed and approved by the City of Palm Springs prior to issuance of the grading permit. The project applicant will be required to pay development impact fees. Following implementation of standard conditions impacts are anticipated to be less than significant.

b) No Impact.

The Riverside County Transportation Commission (RCTC) is the appointed county congestion management agency for the County of Riverside. The Congestion Management Program (CMP) is set forth to directly link land use, transportation, and air quality, thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality.

In coordination with the Congestion Management Program (CMP), the Coachella Valley Association of Governments (CVAG) has implemented a valley-wide traffic monitoring program. Traffic count information obtained in CVAG's Traffic Census Report in conjunction with the CMP data indicates that there are no deficiencies near the project. Project

implementation is not anticipated to conflict with the implementation or performance of the regional CMP.

According to the General Plan, all City intersections are projected to operate at LOS D or better at buildout. The circulation system of the City is expected to be consistent with the Riverside County CMP. The project is in compliance with the Zoning and General Plan designations of the property; therefore it can be assumed impacts are accounted for within the General Plan and General Plan EIR Update. Less than significant impacts are anticipated.

c) No Impact.

The proposed project is not of such a size or nature to cause noticeable changes in air traffic levels, patterns or a change in traffic location. The development of the proposed project will have no impact on the facilities or operations of regional airports, and will not result in a change in air traffic patterns, including an increase in traffic levels. The project is located northwest of the Palm Springs International Airport and is located in the ALUC Compatibility Zone E. Compatibility Zone E is the airport environs zone and there are currently no incompatible uses within this zone. The project will comply with all ALUC requirements for this zone. The proposed development will not affect the operations of the airport nor create substantial safety risks. No impacts are anticipated.

d) Less than Significant Impacts.

The project site plan has been incorporated into an existing Industrial District and has been designed according to City standards. It provides a private internal circulation system without sharp curves or dangerous intersections that is subject to review and approval by the City Traffic Engineer during standard City review processes. The project entry consists of one primary access points and a number of parking spaces that directly access Anza Rd. Automobiles would be the main vehicle type generated by the project, which is consistent with the existing traffic in the area. Consequently, the project design will not substantially increase vehicular hazards.

City design guidelines will be considered for the development of the proposed project and therefore is not anticipated to create a substantial increase in hazards due to a design feature. The final grading, landscaping and street improvement plans shall demonstrate that standards are met. Such plans must be reviewed by the City and approved prior to issuance of grading permits.

Proposed parking and circulation plans will be reviewed by the Fire and Police Departments to assure that driveways and roads are adequate for emergency vehicles. A plan outlining access and staging will be required to assure that the project does not interfere with emergency access during construction activities. Less than significant impacts are expected.

e) Less than Significant Impacts.

The project has will be reviewed by the Palm Springs Fire and Police Departments as a standard part of the City's review process. Access points shall comply with emergency access requirements. Review and approval of the site design by these agencies insure that impacts related to emergency access are less than significant.

On-site signing and striping should be implemented in conjunction with detailed construction plans for the project site. Following review and approval of access elements, less than significant impacts are anticipated.

f) Less than Significant Impacts.

The project is not expected to conflict with the adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities.

SunLine Transit operates bus routes in the vicinity of the project. Line 24 is the nearest route and will provide public transit access to the proposed project. According to the Sunline website, the nearest bus stop is located near the corner of Rosa Parks Road and Indian Canyon Drive, approximately 0.4 miles walking/biking distance northeast of the proposed project. The use of local transit services by future project users is expected to result in a less than significant impact. The project design is not anticipated to decrease the performance or safety of public transit, bicycle, or pedestrian facilities.

The proposed project would improve pedestrian mobility by incorporating internal sidewalks and pedestrian walkways within the project site. These would be reviewed and constructed in conformance with City safety standards.

These and other improvements resulting from the project are expected to enhance, rather than obstruct or conflict with, the City’s established goals on bicycle transportation or with any existing facilities. Less than significant impacts are anticipated.

Mitigation Measures: None

| XVII. TRIBAL CULTURAL RESOURCES – Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | | | | |
|--|--|--|--|--|
| subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | | | | |
|--|--|--|--|--|

Sources: Palm Springs General Plan 2007, Agua Caliente Band of Cahuilla Indians Website

Setting

Palm Springs has been home to the Agua Caliente Band of Cahuilla Indians for generations. Archaeological research has discovered that the Cahuilla have occupied Tahquitz Canyon for at least 5,000 years. Cahuilla villages were concentrated along the shores of ancient Lake Cahuilla; the Cahuilla were primarily hunters and gatherers of wild plant goods and lived in permanent villages, linked by social and economic ties. The drying of Lake Cahuilla led to the gradual dispersal of villages to the canyons alluvial fans in the mountains near permanent water sources. Communities were developed in Palm, Murray, Andreas, Tahquitz, and Chino Canyons. Today the Agua Caliente Reservation crosses the municipal boundaries of Palm Springs, Rancho Mirage, Cathedral City and portions of Riverside County.

Discussion of Impacts:

a) Less than Significant Impact.

As previously discussed in the Cultural discussion of this document, the project site has been disturbed for several years; it has been cleared and compacted and currently used as overflow parking for surrounding businesses. The site is vacant and does not contain any buildings, structures or objects of prehistoric or historic origin. As part of the entitlement process, the City is required to enter into Tribal Consultation as required under AB 52, to solicit input from participating local Native American Tribes about the project site, and whether there are any known Tribal cultural resources significant to them. The City of Palm Springs initiated AB 52 from June 18, 2018 to July 18, 2018. During this period, the Agua Caliente Band of Cahuilla Indians (ACBCI) responded in writing an indicated the site was not within the boundaries of the ACBCI Reservation, however; it is within the Tribe’s Traditional Use Area. They have requested that protocol be observed in the event human remains are discovered during earth moving activities. This is a standard procedure that shall be followed pursuant to the California Health and Safety Code, Section 7050.5, and the CEQA Guidelines Section 15064.5. Therefore, less than significant impacts are expected.

b) Less than Significant Impact.

Public Resource Code 21074 identifies “Tribal Cultural Resources” as “sites, features, places, cultural landscapes, sacred places, and objects with culture value to California Native American Tribe” and that are either included or determined to be eligible for inclusion on the national, state, or local register of historic resources or that are determined by the lead agency, in its discretion, to be significant when taking into consideration the significance of the resource to a California Native American Tribe. To ensure all significant Tribal Resources are identified and fully considered, the City of Palm Springs initiated a 30-day government to government Tribal consultation period with local Tribes June 18, 2018 to July 18, 2018. During this period, no requests for consultation were received by the City. As indicated in the previous discussion, the

ACBCI did respond in writing and identified the site as part of the Tribe’s Traditional Use Area, with the request that proper protocol be followed should human remains be discovered during earth moving activities. No additional correspondence or concerns were received by the City. Therefore, less than significant impacts are expected.

Mitigation Measures: None

| XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion or existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Sources: Palm Springs General Plan 2007, DWA 2015 Urban Water Management Plan

Setting

Water

The Desert Water Agency is the primary domestic water supplier for the City of Palm Springs. DWA currently provides potable water to the City of Palm Springs and the project site. DWA operates 29 wells and 359 miles of pipeline and serves about 71,000 people. The agency utilizes 28 reservoirs with the capacity to store 59 million gallons.

Waste Water

DWA contracts with Veolia North America for wastewater treatment. The company operates a 10.9-MGD trickling-filter wastewater treatment plant, five pump stations and 265 mile collection system. Wastewater is transported to Veolia North America's treatment plant at 4375 E. Mesquite Drive.

Solid Waste

Solid waste disposal and recycling services for the City of Palm Springs are provided by Palm Springs Disposal Services. Waste is then sent to a permitted landfill or recycling facility outside of the Coachella Valley. These include the Badlands Disposal Site, El Sobrante Sanitary Landfill and Lamb Canyon Disposal site. Cal-Recycle data indicates the Badlands Disposal site has 15,748,799 cubic yards of remaining capacity, the El Sobrante Landfill has a remaining capacity of 145,530,000 tons of solid waste, and Lambs Canyon Disposal has a remaining solid waste capacity of 19,242,950 cubic yards.

Discussion of Impacts:**a,b) Less than Significant Impact.**

The project is proposing to connect into the existing domestic and wastewater infrastructure located in Anza Rd. The project proposes a 2-story 10,504 cannabis cultivation facility with parking facilities. Wastewater generated by the project is expected to be minimal and would not exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). The proposed development will be expected to implement water conservation measures to reduce impacts to public water supplies. The infrastructure and design components for the project will consistent with DWA requirements and water management plan. In addition, the project is consistent with the proposed land use which is accounted in DWA's Urban Water Management Plan. Installation, and connection fees in place at the time of development will be collected by DWA and no new or expanded treatment facilities are anticipated from project implementation. Therefore, Less than significant impacts are expected.

c) Less than Significant Impact.

The Clean Water Act (CWA) of 1972 establishes regulations pertaining to the discharge of pollutants to waters of the U.S. from point sources. Subsequent amendments to the CWA in 1987 established a framework for regulating non-point source stormwater discharge under the National Pollutant Discharge Elimination System (NPDES). The proposed project is located within the Whitewater River Watershed in the Colorado River Region (Region 7). The City of Palm Springs is a Permittee of the Whitewater River Watershed MS4. Individual projects, like the proposed project, are required to comply with these existing regulations.

According to FIRM panel 06065C1556G, effective August 28, 2008, the entire project and its immediate surroundings are located in an area subject to the 0.2 percent annual chance flood (Zone X Shaded). Based on the FIRM definition, this zone applies to areas protected from the 1-percent-annual-chance flood by a levee, areas within the 0.2-percent-annual-chance floodplain, and of the 1-percent-annual-chance flooding where average depths are less than 1 foot, areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile. No Base Flood Elevations or depths are shown within this zone. Stormwater runoff generated by the project would be managed by a storm drainage system that ties into existing facilities within

the City's Master Drainage Plan. The proposed project will be required to pay the appropriate drainage fees.

The project will comply with the City's drainage requirements by preventing the discharge and transport of untreated runoff associated with the project. The project proponent will be required to develop and implement a project-specific Water Quality Management Plan (WQMP) to comply with the most current runoff standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The project's WQMP will identify a strategy of site design, source controls, and treatment controls with maintenance and monitoring program to address post-construction runoff quality and quantity. No new or expanded stormwater drainage facilities are anticipated from project implementation. Less than significant impacts are anticipated.

d) Less than Significant Impact.

Groundwater is the primary source of domestic water supply in the Coachella Valley. The Project site is vacant and undeveloped land and therefore is not currently utilizing domestic water services provided by DWA. The project proposes the development of a cannabis cultivation facility. The proposed project would connect into the existing infrastructure on Anza Rd. and comply with the existing water management program in place.

The infrastructure and design components for the project will be consistent with DWA requirements and water management plan. The project will also be reviewed by DWA and City staff to assure compliance with all current and applicable requirements. The proposed development will be expected to implement water conservation measures to reduce impacts to public water supplies. Additionally, water installation and connection fees in place at the time of development will be collected by DWA. Therefore, no new infrastructure will be required as a result of project implementation and less than significant impacts are expected.

e,f) Less than Significant Impact.

Waste collected from the proposed project will be hauled to the Edom Hill Transfer Station. Waste from the Edom Hill Transfer Station is currently transported to the Lambs Canyon Landfill. The Lambs Canyon Landfill is permitted by the California Department of Resources Recycling and Recovery to accept 5,000 tpd of solid waste. The Lambs Canyon Landfill has a permitted total capacity of 33,041,000 cubic yards with an estimated permitted closure date of April, 2021.

As part of the long-range planning and management activities, the Riverside County Waste Management (RCWMD) ensures that Riverside County has a minimum of 15 years of capacity, at any time, for future landfill disposal. The 15-year projection of disposal capacity is prepared each year as part of the annual reporting requirements for the Countywide Integrated Waste Management Plan. The most recent 15-year projection by the RCWMD indicated that no additional capacity is needed to dispose of countywide waste through 2024, with a remaining capacity of 28,561,626 tons in the year 2024. Additionally, all future development is required to comply with the mandatory commercial and multifamily recycling requirements of Assembly Bill 341. All solid waste activities are carried out in compliance with the State, Federal and local statutes regulating solid waste. The project is not anticipated to hinder or impede future

compliance. Temporary construction activities are also regulated by federal, state and local statutes and are expected to abide by these requirements. Less than significant impacts are anticipated as a result of project implementation.

Mitigation Measures: None

| XIX. MANDATORY FINDINGS OF SIGNIFICANCE | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) Less than Significant Impact with Mitigation.

As concluded in the Biological and Cultural Resources sections of this document, the proposed project expansion would result in no impacts or less than significant impacts with mitigation to these resources. The project is compatible with the City of Palm Springs General Plan land use designation and its surroundings. The project will not significantly degrade the overall quality of the region’s environment, or substantially reduce the habitat of a wildlife species, case a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare of endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Less than significant impacts with mitigation are expected.

Mitigation Measures: See Cultural Section V.

b) Less than Significant Impact.

The proposed project and its location is found to be adequate and consistent with existing federal, state and local policies and is a consistent land use with the City of Palm Springs General Plan and Zoning. Approval and implementation of the proposed project will result in less than significant impacts related to cumulatively considerable impacts.

c) Less than Significant Impact.

The proposed project will not result in impacts related to environmental effects that will cause substantial adverse effects on human beings. The project has been designed to comply with established design guidelines and current building standards. The City's review process will ensure that applicable guidelines are being followed. Standard conditions and project design features incorporated into the project will reduce impacts to less than significant.

Mitigation Measures: None



KINGZIP® STANDING SEAM ROOF SYSTEM



- Mechanically seamed sidelap provides unsurpassed weather-tightness at slopes as low as 25/12
- Hidden clip fastening eliminates need for through fasteners (except at eaves, endlaps and rakes)
- 42" width allows fast installation
- Interior liner provides bright, reflective, washable surface to help reduce lighting requirements

PRODUCT SPECIFICATIONS:

| | |
|-----------------------|---|
| Panel Thickness | 2" 3" 4" 5" 6" |
| R-Value by ASTM C 236 | 16 25 33 41 49 |
| Panel Width | 42" (1,067 mm) |
| Panel Length | Minimum 10' - 0"; Maximum 48' |
| Joint Configuration | Mechanically seamed 2" nominal vertical sidelap |
| Insulation Material | Foamed-in-place urethane modified isocyanurate with nominal density of 2.3-2.6 lbs./cu. ft. |

MATERIAL SPECIFICATIONS

(100/200/300/300A/300GS/300R/400/600/600FR/900/KINGZIP)

- Panel Exterior: Standard is 26 gauge, stucco embossed (except 300 A and 300 GS which are Artec embossed and 400 and KingZip which are 24 gauge) with G-90 galvanized steel or aluminum-zinc coated steel. Also available in 24 and 22 gauge where extra durability is required
- Exterior Finish: Standard is 1.0 mil Valspar® Fluropon® (PVDF) or Dynapox® (MP)
- Panel Interior: Standard is 26 gauge, stucco embossed G-90 galvanized steel or aluminum-zinc coated steel. Also available in 24 and 22 gauge

- Interior Finish: Standard is 1.0 mil Valspar® Dynapox® (MP), USDA accepted and suited for most wash down environments. For heavy wash down areas, plasticoat (FVC) or stainless steel is available
- Color and Finish Options: Choose from in-stock standard colors or select a custom color to match your needs
- In partnership with Valspar, all of Kingspan's Standard SOLID and Premium MICA & METALLIC Fluropon® PVDF COOL colors meet requirements for Energy Star® steep-slope roof products.

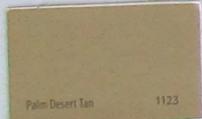
Valspar's Energy Star® compliant Fluropon® SR Coatings have an added infrared reflective pigment and are available in a variety of COOL colors. Thick film coatings to meet environment concerns are available, along with custom color matching

- Exterior paint system warranties are available for up to 20 years, depending on specific system and application. Contact Kingspan for details
- Standard product is non-directionally stucco embossed, but smooth finishes are available with certain restrictions

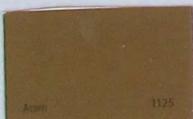
Commercial & Industrial Thermalspan® Roof Panels are only available through Kingspan Deland and Modesto.



BASE COLOR



SECONDARY BASE COLOR



ACCENT COLOR

300 A AZTECO® EMBOSSED



- Provides look of masonry stucco at a fraction of the cost, without the need for additional sub-trades
- Unique embossing pattern allows use of 26 gauge facings, resulting in a very economical wall system
- Ideal for architectural applications where flat profile is desired
- Easy to use with architectural treatments, such as cornices, etc.
- Most economical flat wall system available for metal building systems

PRODUCT SPECIFICATIONS:

| | |
|-----------------------|---|
| Panel Thickness | 2" 2.5" 3" 4" 5" 6" |
| R-Value by ASTM C 236 | 16 20 25 33 41 49 |
| Panel Width | 42" (1,067 mm) |
| Panel Length | Minimum 10' - 0"; Maximum 48' - 0" |
| Joint Configuration | Interlocking tongue and groove |
| Insulation Material | Foamed-in-place urethane modified isocyanurate with nominal density of 2.3-2.6 lbs./cu. ft. |



AR2-12



AR3-12

AR2-12 & AR3-12 ACCENT PANELS:

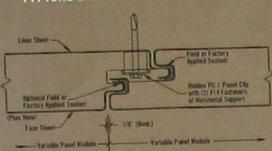
- Create architectural highlights within a horizontal flat panel wall system
- Two or three bold asymmetric ribs per 12" module create extremely unique linear accents
- Fully integrates with all other CWP panel profiles
- Consistent joint profile and depth provide continuity in vertical and horizontal joint reveals as well as wall system R-value
- Available with factory-folded corner panels (choice of notched and bent or welded and painted to match your project's budget and design needs)
- Trimless ends and aluminum extrusions are readily available for those finishing touches



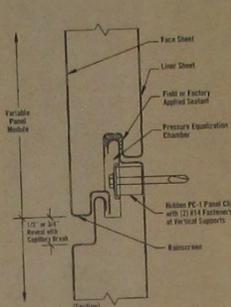
PRODUCT SPECIFICATIONS: AR2-12 & AR3-12

| | |
|---------------------------------|---|
| Panel Thickness | 2" 2.5" 3" |
| R-Value by ASTM C 236 | 15 19 23 |
| Standard Panel Widths (nominal) | 12" |
| Panel Length | Maximum 30' - 0" |
| Joint Configuration | Interlocking tongue and groove |
| Insulation Material | Laminated urethane modified isocyanurate with nominal density of 2.0 - 2.6 lbs./cu. ft. |

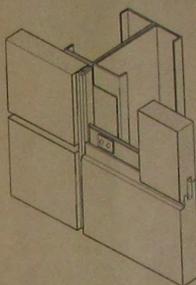
TYPICAL CWP-V JOINT



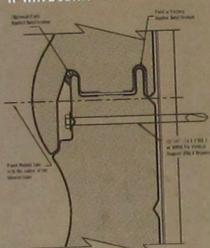
TYPICAL CWP-H JOINT



FOUR CORNER INTERSECTION



H-WAVE JOINT DETAIL

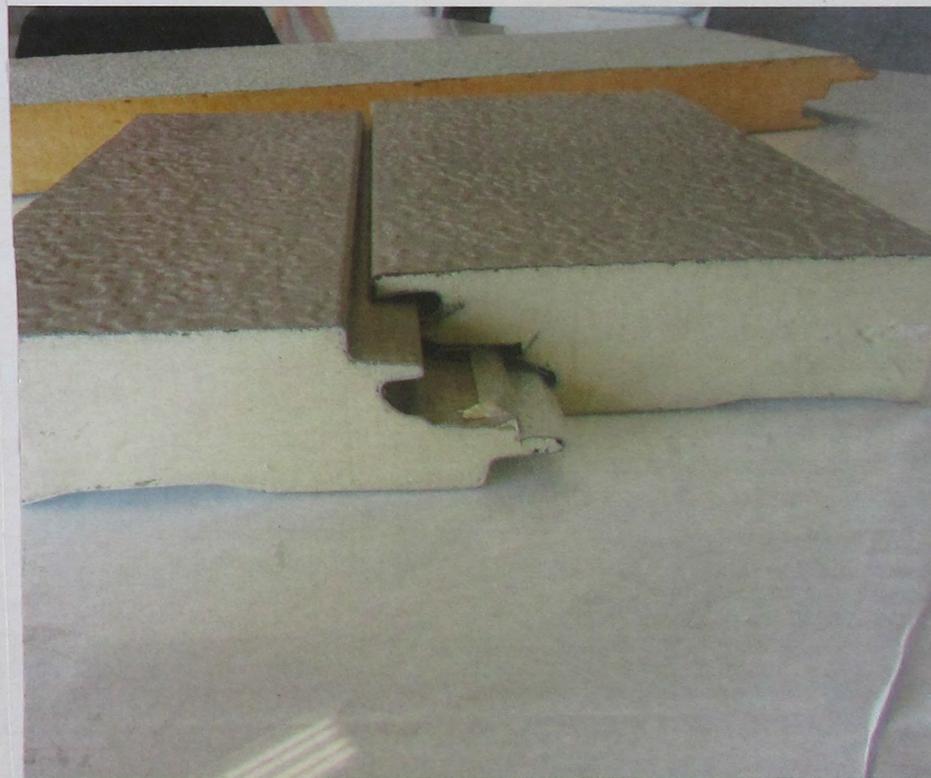


Centurywall® products are only available through Kingspan Modesto.



29/08/2018

EXTERIOR WALL SAMPLE



EXTERIOR WALL SAMPLE

ANZA



ARCHITECTURAL BREAKS EXTERIOR

RECEIVED
AN 23 2018
PLANNING SERVICES DEPARTMENT
3.41003



3573 N. ANZA ROAD CULTIVATION FACILITY

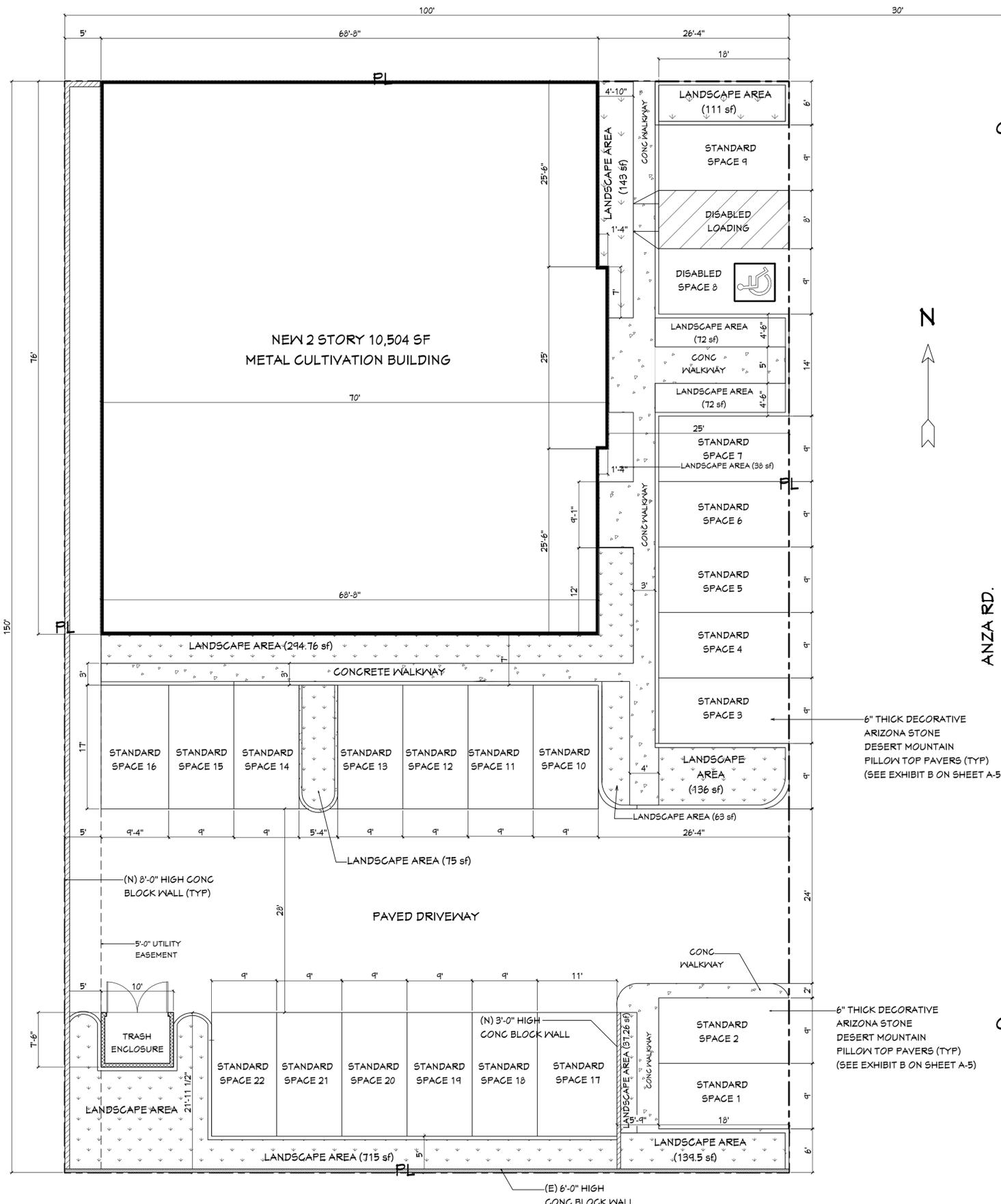


ANZA CANNABIS CULTIVATION FACILITY

DESIGN TEAM

PROJECT SUMMARY

REVISION / DATE



SITE PLAN SCALE=1/8"=1'-0"

ARCHITECTURAL DESIGN
 LRG DESIGNS LLC.
 LAWRENCE GORDON
 1207 W. 112TH STREET
 LOS ANGELES, CA 90044
 EMAIL: LRGDESIGNS914@GMAIL.COM

LANDSCAPE DESIGN
 THOMAS HERNANDEZ
 7501 PALM AVE. SPC-113
 YUCCA VALLEY, CA 92284
 (760) 418-5254

CIVIL ENGINEER
 EGAN CIVIL, INC.
 BENJAMIN DANIEL EGAN
 42945 E. MADJO STREET SUITE. A
 INDIJO, CA 92201
 (760) 404-7663
 EMAIL: BEGAN@EGANCIVIL.COM

MEP ENGINEER
 LASALLE LIGHTING SERVICES
 GARY LASALLE
 31105 RESERVE DRIVE
 THOUSAND PALMS, CA 92276
 (760) 404-0379
 GARY@LASALLELIGHTING.NET

NOTE: MECHANICAL, ELECTRICAL, AND PLUMBING WILL BE UNDER SEPARATE PERMITS.

SITE ADDRESS
 3573 N. ANZA ROAD
 PALM SPRINGS, CA 92262

OWNER
 SHERVIN DARDASHTI AND PAUL GILBERT
 1004 N. BEVERLY DRIVE
 BEVERLY HILLS, CA 90210
 (310) 266-8136

WORK DESCRIPTION
 PROPOSED 2 STORY 10,504 SF MEDICAL CANNABIS CULTIVATION FACILITY TO BE CONSTRUCTED OF METAL.

AREA CALCULATION
 LOT AREA- 15,000 SF
 BUILDING CODE ALLOWABLE AREA-25,500 SF MAX.
 NEW 1ST FLOOR-5,252 SF
 NEW 2ND FLOOR-5,252 SF
 NEW BUILDING TOTAL-10,504 SF
 MAXIMUM LOT COVERAGE-15,000X60-9,000 SF
 TOTAL LOT COVERAGE-5,252 SF (35.01%)
 LANDSCAPE AREA-1,859.26 SF (12.39%)
 PAVING-7,888.74 (52.59%)

PARKING
 REQUIRED-13 PARKING SPACES (INCLUDING 1 HANDICAP)
 PROVIDED- 21 STANDARD PARKING SPACES
 1 HANDICAP PARKING SPACE
 22 TOTAL PARKING SPACES

REQUIRED EXITING
 REQUIRED-ONE (49 OCCUPANTS MAX, 100 FOOT TRAVEL DISTANCE)
 PROVIDED-ONE

GENERAL INFORMATION
 ZONE-M-1
 TYPE OF CONSTRUCTION-V-B
 OCCUPANCY GROUP-F
 NUMBER OF STORIES-TWO
 USE- CULTIVATION
 MAXIMUM HEIGHT-29'-2"
 FIRE SPRINKLER-YES

LEGAL DESCRIPTION
 LOTS- 29 AND 30
 BLOCK- NONE
 TRACT- WRIGHT AND LEONARD
 APN- 669-452-001 AND 669-452-002

APPLICABLE CODES
 2016 CBC, CMC, CPC, CEC, CFC, CALIFORNIA ENERGY CODE, AND THE CURRENT PALM SPRINGS CITY MUNICIPAL CODE.

| |
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STAMP

P.O. BOX 41478
 LOS ANGELES, CA 90047
 (323) 437-0160
 EMAIL: LRGDESIGNS914@GMAIL.COM

| SHEET INDEX | |
|--------------|--|
| SHEET NUMBER | SHEET CONTENTS |
| A-1 | PROJECT INFORMATION / SITE PLAN |
| A-2 | FIRST LEVEL FLOOR PLAN |
| A-3 | SECOND LEVEL FLOOR PLAN |
| A-4 | FRONT AND REAR ELEVATIONS |
| A-5 | SIDE ELEVATIONS |
| A-6 | CROSS SECTIONS |
| A-7 | ROOF PLAN |
| A-8 | TRASH ENCLOSURE PLAN |
| L-1 | LANDSCAPE SITE PLAN |
| L-2 | TREE AND PLAN LEGEND |
| L-3 | LANDSCAPE PLAN SECTION-A |
| L-4 | LANDSCAPE PLAN SECTION-B |
| L-5 | IRRIGATION PLAN SECTION - A |
| L-6 | IRRIGATION PLAN SECTION-B |
| L-7 | 15 YEAR SHADE PLAN SECTION-A |
| L-8 | 15 YEAR SHADE PLAN SECTION -B |
| M-1.0 | INTERIOR HVAC LAYOUT |
| M-2.0 | HVAC ROOF LAYOUT |
| 1 OF 1 | PRELIMINARY GRADING PLAN |
| 1 OF 1 | WQMP SITE PLAN |
| EXHIBIT A | FRONT ELEVATIONS WITH ADJACENT BUILDINGS |

PROJECT: PROPOSED SITE PLAN
 SITE ADDRESS: 3573 N. ANZA RD
 PALM SPRINGS, CA
 OWNER: RADIO P.S. PROPERTIES LLC.

DATE
7/9/2018

SCALE

SHEET
A-1

OF SHEETS

PLAN LEGEND

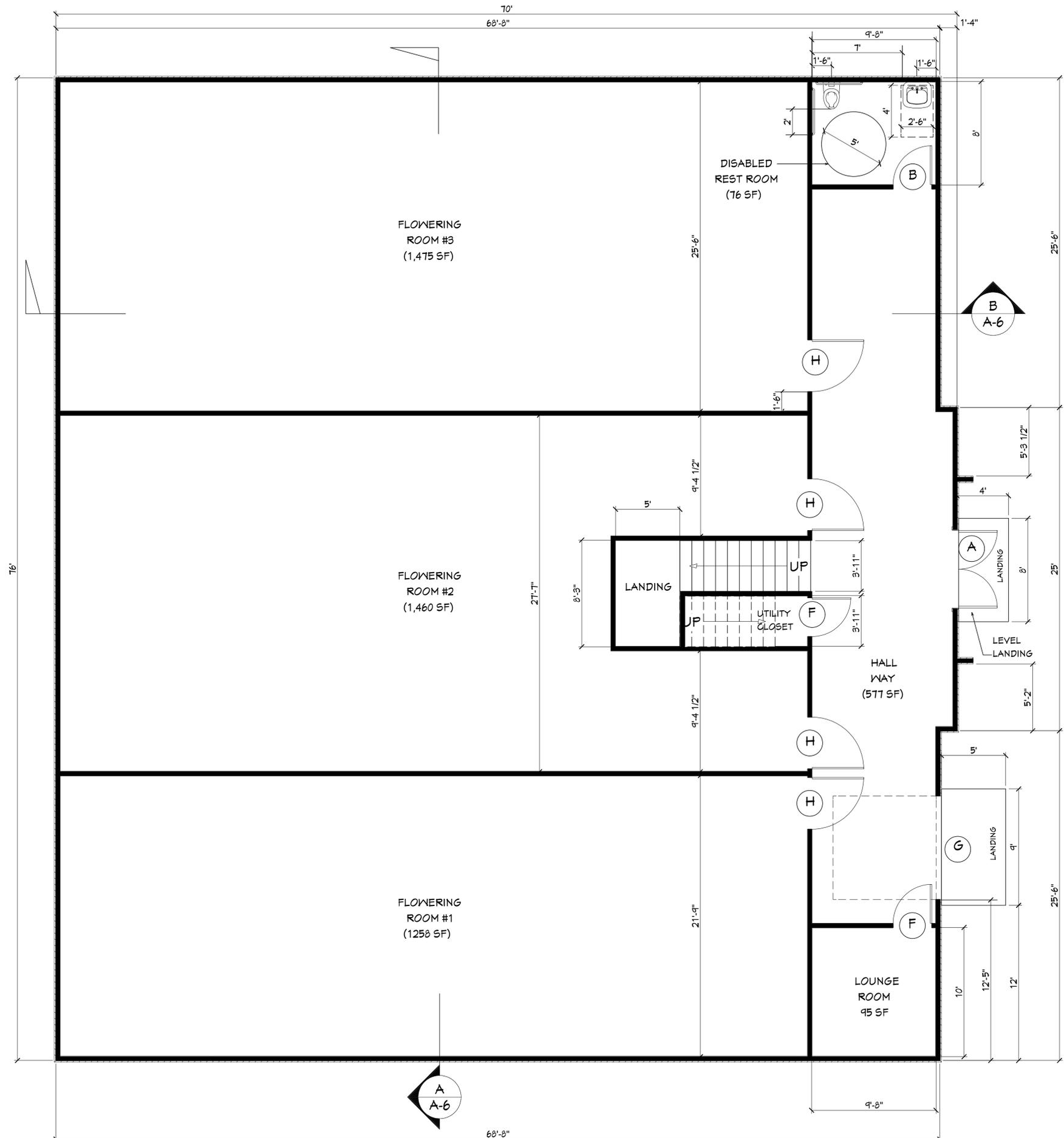
| | |
|--|---|
| | EXISTING WALL |
| | 1-HR FIRE RATED WALL |
| | NEW METAL FRAME WALL |
| | EXISTING WALL TO BE DEMO |
| | GROUND FAULT CIRCUIT INTERRUPTED POWER OUTLET |
| | CEILING MOUNTED WEATHER PROOF GROUND FAULT INTERRUPTED POWER OUTLET |
| | TYPICAL POWER OUTLET |
| | SINGLE POLE LIGHT SWITCH |
| | DOUBLE POLE LIGHT SWITCH |
| | THREEWAY LIGHT SWITCH |
| | WALL MOUNTED LIGHT FIXTURE |
| | TYPICAL LIGHT FIXTURE |
| | RECESSED LIGHT FIXTURE |
| | ILLUMINATED EXIT SIGNS |
| | CARBON MONOXIDE DETECTOR |
| | MECHANICAL VENT CAPABLE OF 50 CFM'S W/ HUMIDISTAT AND TO BE ENERGY STAR RATED |
| | 24"X30" ATTIC ACCESS W/ 30" HEAD CLEARANCE MIN. |
| | TYPICAL SURFACE MOUNTED POWER OUTLET |
| | TYPICAL SURFACE MOUNTED HOSE BIB |
| | WEATHER PROOF GROUND FAULT CIRCUIT INTERRUPTED POWER OUTLET |
| | TELEPHONE JACK |
| | CEILING MOUNTED SPEAKERS |
| | CEILING MOUNTED FAN |
| | TYPICAL UNDER COUNTER MOUNTED POWER OUTLET |
| | CEILING MOUNTED POWER OUTLET |

WINDOW SCHEDULE NOTE: USE DUAL GLAZED WINDOWS FOR ALL NEW WINDOWS

| # | SIZE | TYPE | DESCRIPTION | REMARKS |
|----|----------|-------|-------------|---------|
| 1 | 39"X168" | FIXED | NEW (TEMP) | FROSTED |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |

DOOR SCHEDULE

| ABC | SIZE | TYPE | DESCRIPTION | REMARKS | HARDWARE |
|-----|-----------|-------------|------------------|---------------------|----------------|
| A | 12"X84" | METAL FRAME | HINGED w/ CLOSER | TEMP FROSTED, GLASS | PANIC HARDWARE |
| B | 36"X80" | SOLID | HINGED w/ CLOSER | - | - |
| C | 12"X80" | SOLID | HINGED w/ CLOSER | - | - |
| D | 36"X80" | SOLID | HINGED w/ CLOSER | - | PANIC HARDWARE |
| E | 120"X120" | METAL | ROLL UP | - | - |
| F | 36"X80" | SOLID | HINGED | - | - |
| G | 96"X96" | METAL | ROLL UP DOOR | - | - |
| H | 48"X80" | SOLID | HINGED w/ CLOSER | - | - |
| I | | | | | |
| J | | | | | |
| K | | | | | |
| L | | | | | |



FIRST FLOOR PLAN SCALE=1/4"=1'-0"

REVISION / DATE

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STAMP



URO DESIGNS
 P.O. BOX 47478
 LOS ANGELES, CA 90047
 (323)437-0160
 EMAIL: URODESIGNS914@GMAIL.COM

PROJECT: PROPOSED 1ST FLOOR PLAN
 SITE ADDRESS: 3573 N. ANZA RD
 PALM SPRINGS, CA 92262
 OWNER: RADIO PS PROPERTIES, LLC

DATE: 7/6/2018

SCALE:

SHEET: A-2
 OF SHEETS:

PLAN LEGEND

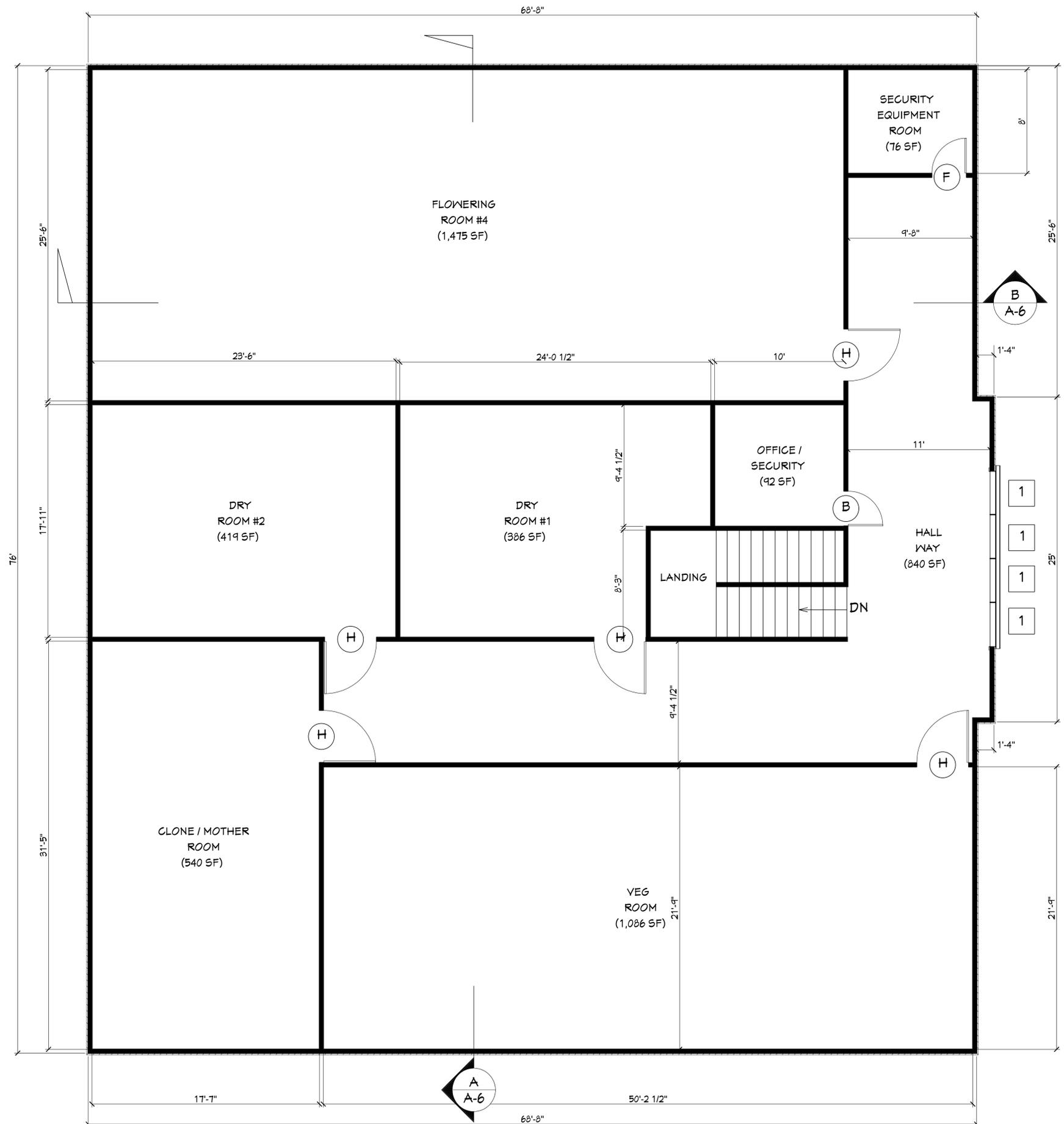
| | |
|--|---|
| | EXISTING WALL |
| | 1-HR FIRE RATED WALL |
| | NEW METAL FRAME WALL |
| | EXISTING WALL TO BE DEMO |
| | GROUND FAULT CIRCUIT INTERRUPTED POWER OUTLET |
| | CEILING MOUNTED WEATHER PROOF GROUND FAULT INTERRUPTED POWER OUTLET |
| | TYPICAL POWER OUTLET |
| | SINGLE POLE LIGHT SWITCH |
| | DOUBLE POLE LIGHT SWITCH |
| | THREEWAY LIGHT SWITCH |
| | WALL MOUNTED LIGHT FIXTURE |
| | TYPICAL LIGHT FIXTURE |
| | RECESSED LIGHT FIXTURE |
| | ILLUMINATED EXIT SIGNS |
| | CARBON MONOXIDE DETECTOR |
| | MECHANICAL VENT CAPABLE OF 50 CFM'S W/ HUMIDISTAT AND TO BE ENERGY STAR RATED |
| | 24"X30" ATTIC ACCESS W/ 30" HEAD CLEARANCE MIN. |
| | TYPICAL SURFACE MOUNTED POWER OUTLET |
| | TYPICAL SURFACE MOUNTED HOSE BIB |
| | WEATHER PROOF GROUND FAULT CIRCUIT INTERRUPTED POWER OUTLET |
| | TELEPHONE JACK |
| | CEILING MOUNTED SPEAKERS |
| | CEILING MOUNTED FAN |
| | TYPICAL UNDER COUNTER MOUNTED POWER OUTLET |
| | CEILING MOUNTED POWER OUTLET |

WINDOW SCHEDULE NOTE: USE DUAL GLAZED WINDOWS FOR ALL NEW WINDOWS

| # | SIZE | TYPE | DESCRIPTION | REMARKS |
|----|----------|-------|-------------|---------|
| 1 | 39"X168" | FIXED | NEW (TEMP) | FROSTED |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |
| 11 | | | | |
| 12 | | | | |

DOOR SCHEDULE

| ABC | SIZE | TYPE | DESCRIPTION | REMARKS | HARDWARE |
|-----|-----------|-------------|------------------|---------------------|----------------|
| A | 12"X84" | METAL FRAME | HINGED w/ CLOSER | TEMP FROSTED, GLASS | PANIC HARDWARE |
| B | 36"X80" | SOLID | HINGED w/ CLOSER | - | - |
| C | 12"X80" | SOLID | HINGED w/ CLOSER | - | - |
| D | 36"X80" | SOLID | HINGED w/ CLOSER | - | PANIC HARDWARE |
| E | 120"X120" | METAL | ROLL UP | - | - |
| F | 36"X80" | SOLID | HINGED | - | - |
| G | 96"X96" | METAL | ROLL UP DOOR | - | - |
| H | 48"X80" | SOLID | HINGED w/ CLOSER | - | - |
| I | | | | | |
| J | | | | | |
| K | | | | | |
| L | | | | | |



SECOND FLOOR PLAN SCALE=1/4"=1'-0"

REVISION / DATE

- △
- △
- △
- △
- △

STAMP

URO DESIGNS
 P.O. BOX 41478
 LOS ANGELES, CA 90047
 (323)437-0160
 EMAIL: URODESIGNS914@GMAIL.COM

PROJECT: PROPOSED 2ND FLOOR PLAN
 SITE ADDRESS: 3573 N. ANZA RD
 PALM SPRINGS, CA 92262
 OWNER: RADIO PS PROPERTIES, LLC

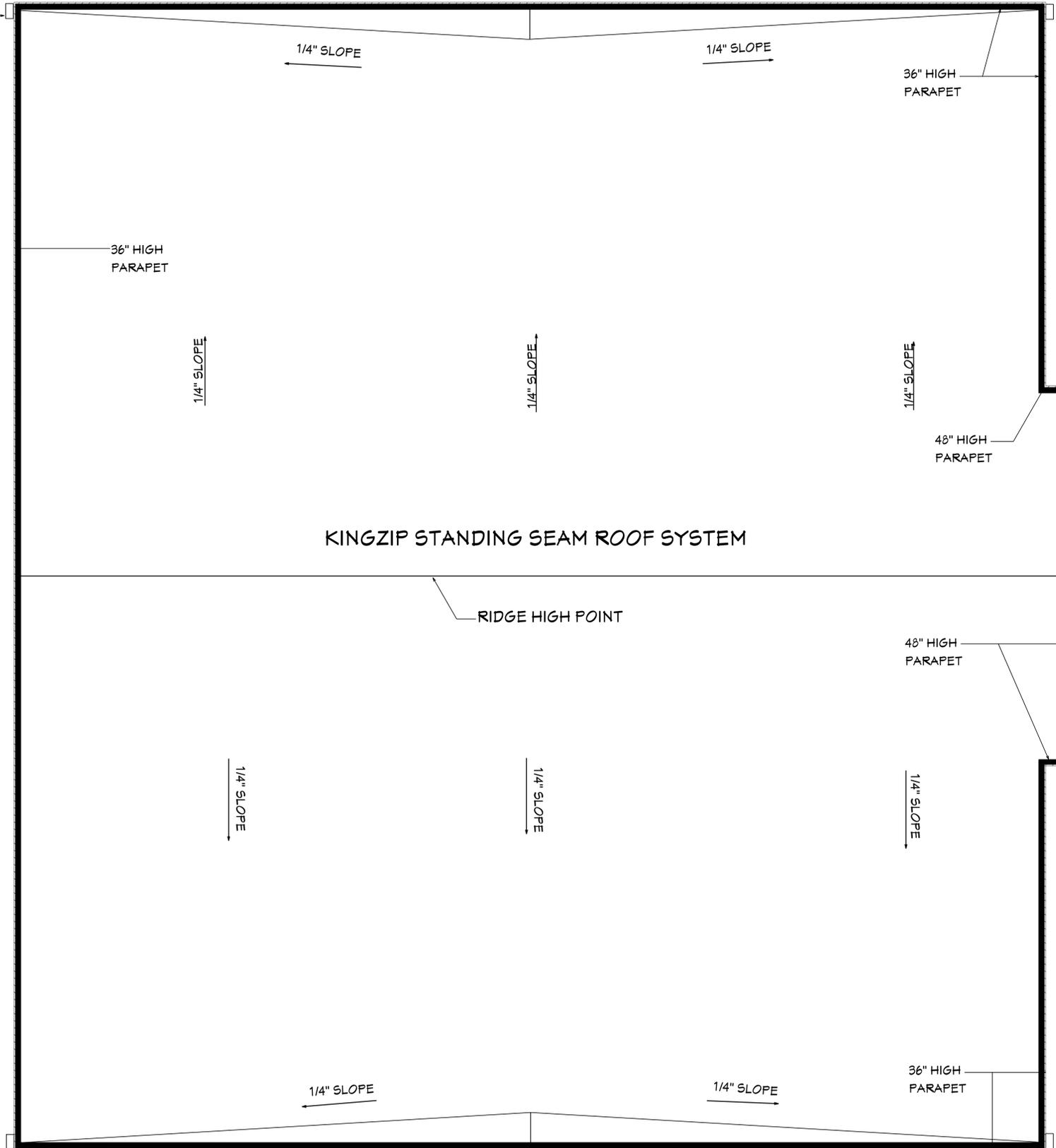
DATE
7/5/2018

SCALE

SHEET
A-3

OF SHEETS

GUTTER DOWNSPOUT
(TYPICAL)



1/4" SLOPE

1/4" SLOPE

36" HIGH
PARAPET

36" HIGH
PARAPET

1/4" SLOPE

1/4" SLOPE

1/4" SLOPE

48" HIGH
PARAPET

KINGZIP STANDING SEAM ROOF SYSTEM

RIDGE HIGH POINT

48" HIGH
PARAPET

1/4" SLOPE

1/4" SLOPE

1/4" SLOPE

1/4" SLOPE

1/4" SLOPE

36" HIGH
PARAPET

ROOF PLAN SCALE=1/4"=1'-0"

REVISION / DATE



STAMP



P.O. BOX 47478
LOS ANGELES, CA 90047
(323)437-0160
EMAIL:LRGDESIGNS914@GMAIL.COM

PROJECT: ROOF PLAN

SITE ADDRESS: 3573 N. ANZA RD
PALM SPRINGS, CA 92262

OWNER: RADIO P.S. PROPERTIES LLC

DATE

7/6/2018

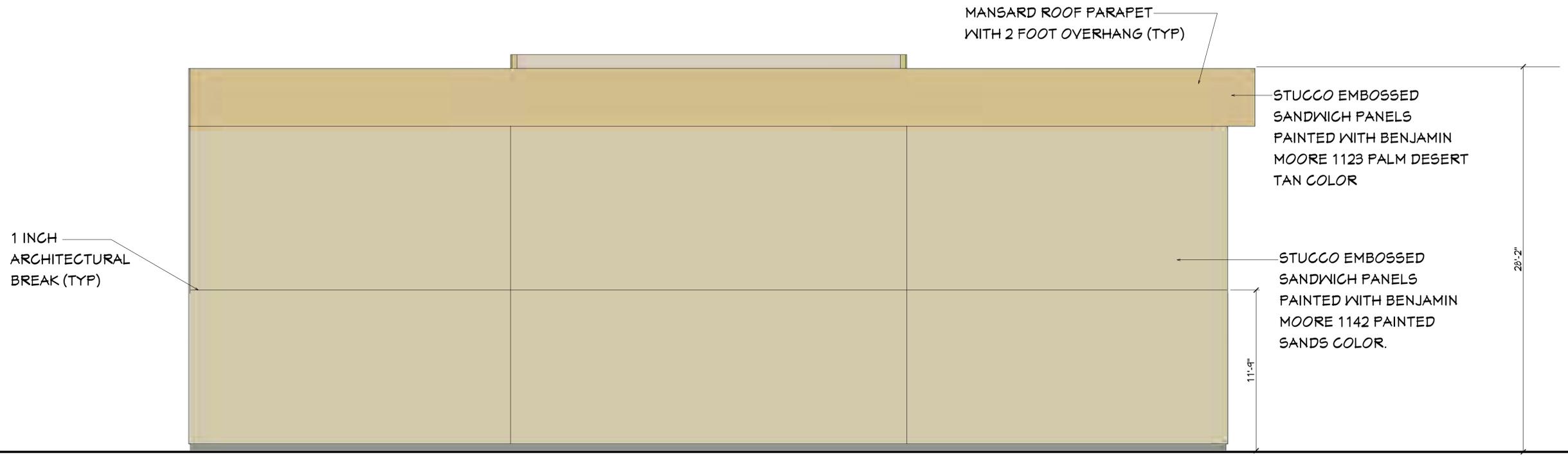
SCALE

SHEET

A-7

OF

SHEETS



REAR WEST ELEVATION SCALE=1/4"=1'-0"



FRONT EAST ELEVATION SCALE=1/4"=1'-0"

REVISION / DATE



STAMP

UPRO
 DESIGNS
 P.O. BOX 47478
 LOS ANGELES, CA 90047
 (323)437-0160
 EMAIL: UPRODESIGNS914@GMAIL.COM

PROJECT: FRONT AND REAR ELEVATIONS
 SITE ADDRESS: 3573 N. ANZA RD
 PALM SPRINGS, CA 92262
 OWNER: RADIO P.S. PROPERTIES LLC.

DATE
 7/5/2018

SCALE

SHEET
 A-4

OF SHEETS

MANSARD ROOF PARAPET
WITH 2 FOOT OVERHANG (TYP)

STUCCO EMBOSSED
SANDWICH PANELS
PAINTED WITH BENJAMIN
MOORE 1123 PALM DESERT
COLOR

METAL AWNING BY OTHERS
PAINTED BENJAMIN MOORE
1125 ACORN

STEEL NON STRUCTURAL
ARCHITECTURAL COLUMN
PAINTED 1125 ACORN (TYP)



EXHIBIT B (PAVER STYLE)

SIDE NORTH ELEVATION SCALE=1/4"=1'-0"

STUCCO EMBOSSED
SANDWICH PANELS
PAINTED WITH BENJAMIN
MOORE 1142 PAINTED
SANDS COLOR.

MANSARD ROOF PARAPET
WITH 2 FOOT OVERHANG (TYP)

1 INCH
ARCHITECTURAL
BREAK (TYP)

STUCCO EMBOSSED
SANDWICH PANELS
PAINTED WITH BENJAMIN
MOORE 1123 PALM DESERT
TAN

STEEL NON STRUCTURAL
ARCHITECTURAL COLUMN
PAINTED 1125 ACORN (TYP)

METAL AWNING BY OTHERS
PAINTED BENJAMIN MOORE
1125 ACORN

29'-2"

STUCCO EMBOSSED
SANDWICH PANELS
PAINTED WITH BENJAMIN
MOORE 1142 PAINTED
SANDS COLOR.

SIDE SOUTH ELEVATION SCALE=1/4"=1'-0"

REVISION / DATE



STAMP

PRO
DESIGNS
P.O. BOX 41478
LOS ANGELES, CA 90047
(323)437-0160
EMAIL:LRGDESIGNS914@GMAIL.COM

PROJECT:SIDE ELEVATIONS

SITE ADDRESS: 3573 N. ANZA RD
PALM SPRINGS, CA 92262

OWNER:RADIO P.S. PROPERTIES LLC

DATE

7/5/2018

SCALE

SHEET

A-5

OF

SHEETS

6" THICK CONCRETE BLOCK WALL
WITH STUCCO FINISH
PAINTED WITH BENJAMIN
MOORE 1142 PAINTED
SANDS COLOR. (TYPICAL)



WEST ELEVATION SCALE: 1/2" = 1'-0"

6" THICK CONCRETE BLOCK WALL
WITH STUCCO FINISH
PAINTED WITH BENJAMIN
MOORE 1142 PAINTED
SANDS COLOR. (TYPICAL)



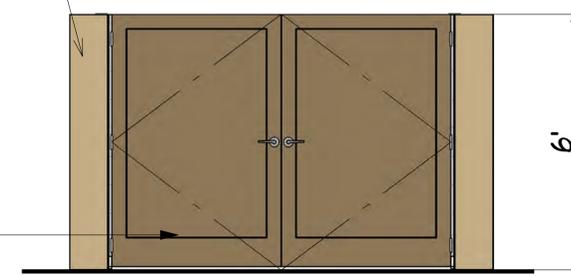
SOUTH ELEVATION SCALE: 1/2" = 1'-0"

6" THICK CONCRETE BLOCK WALL
WITH STUCCO FINISH
PAINTED WITH BENJAMIN
MOORE 1142 PAINTED
SANDS COLOR. (TYPICAL)



EAST ELEVATION SCALE: 1/2" = 1'-0"

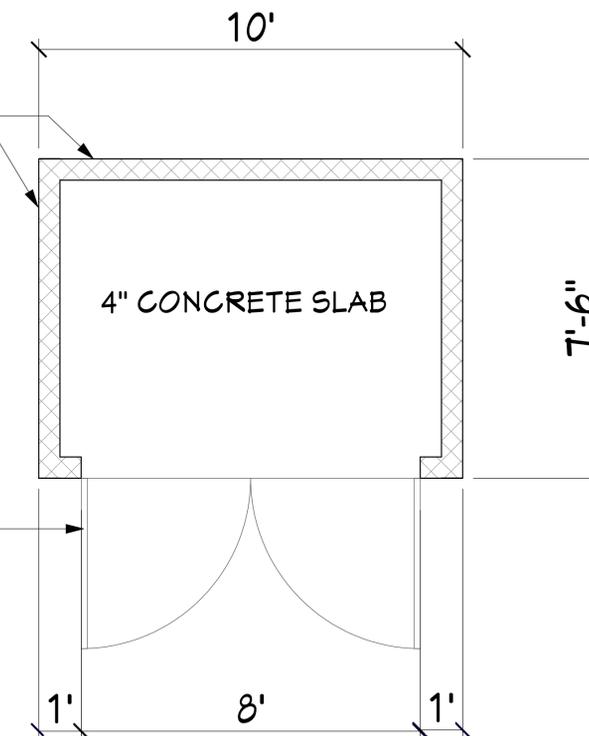
6" THICK CONCRETE BLOCK WALL
WITH STUCCO FINISH
PAINTED WITH BENJAMIN
MOORE 1142 PAINTED
SANDS COLOR. (TYPICAL)



METAL GATE
PAINTED 1125 ACORN

NORTH ELEVATION SCALE: 1/2" = 1'-0"

6" THICK CONCRETE BLOCK WALL
WITH STUCCO FINISH (TYPICAL)



(2) 4' WIDE AND 6'
HIGH METAL DOOR

TRASH ENCLOSURE PLAN SCALE: 1/2" = 1'-0"

REVISION / DATE



STAMP

PRO
DESIGNS
P.O. BOX 41478
LOS ANGELES, CA 90047
(323) 437-0160
EMAIL: LR@DESIGNS914@GMAIL.COM

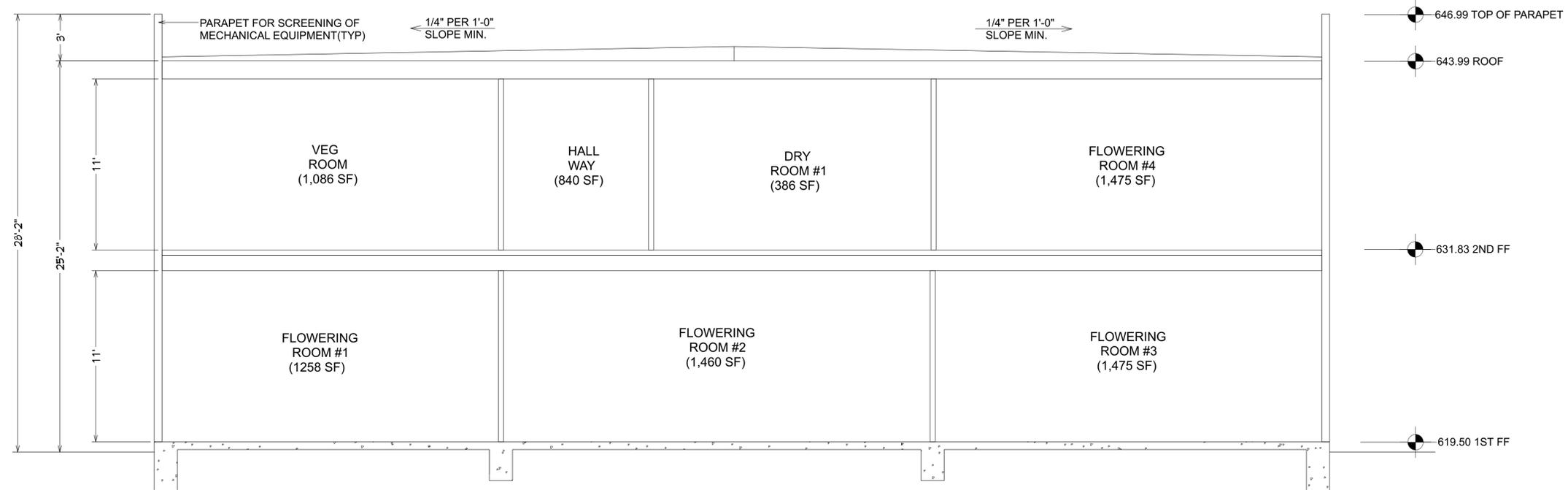
PROJECT: TRASH BIN
SITE ADDRESS: 3573 N. ANZA RD
PALM SPRINGS, CA 92262
OWNER: RADIO P.S. PROPERTIES LLC

DATE
12/29/2017

SCALE

SHEET
A-8

OF SHEETS



CROSS SECTION A SCALE=1/4"=1'-0"

NOTE: PRE-ENGINEERED METAL BUILDING BY OTHERS



CROSS SECTION B SCALE=1/4"=1'-0"

NOTE: PRE-ENGINEERED METAL BUILDING BY OTHERS

REVISION / DATE



STAMP

PROJECT: ROOF PLAN
 SITE ADDRESS: 3573 N. ANZA RD
 PALM SPRINGS, CA 92262
 OWNER: RADIO P.S. PROPERTIES LLC

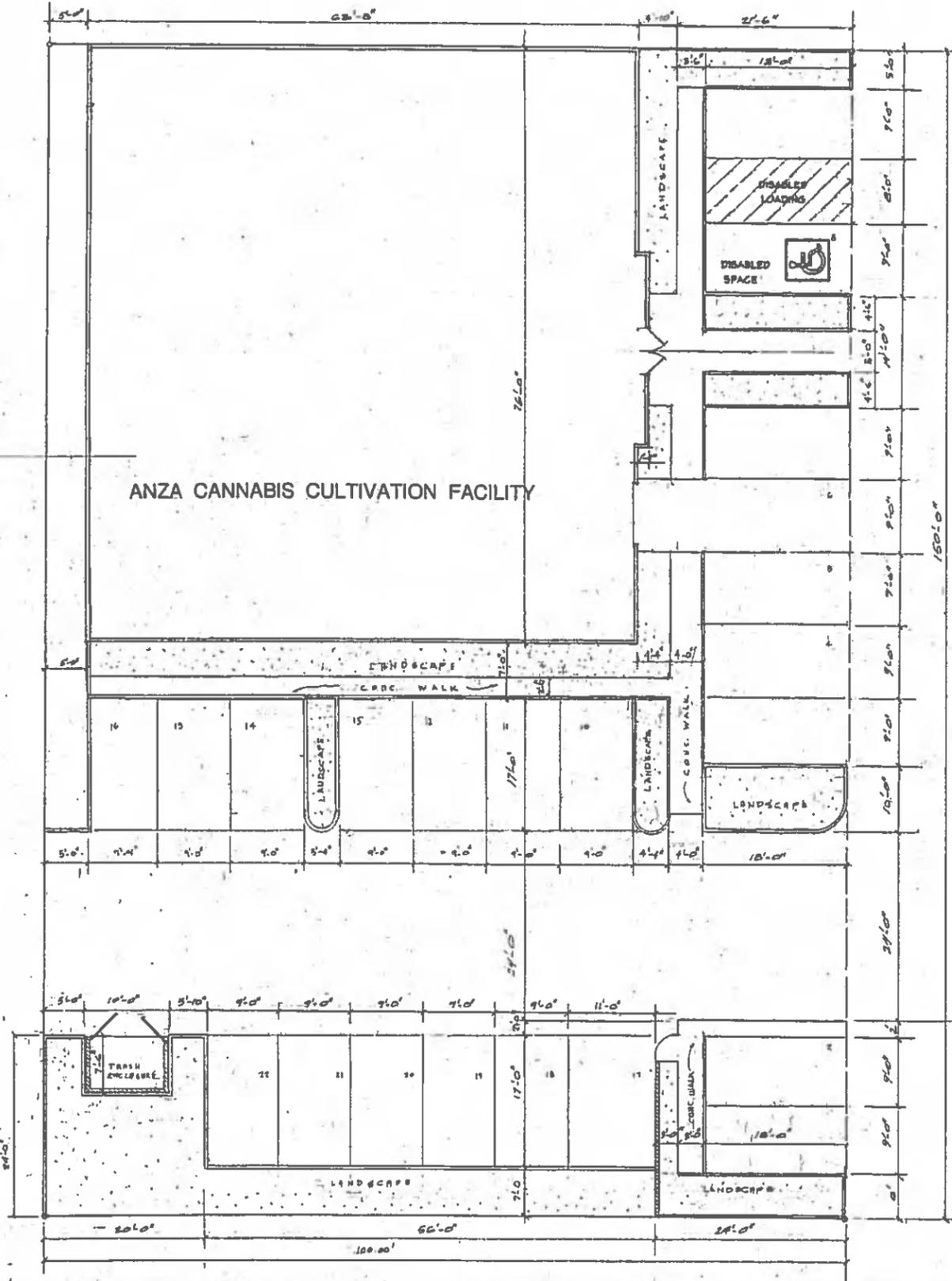
DATE
 12/29/2017

SCALE

SHEET

A-6

OF SHEETS



ANZA CANNABIS CULTIVATION FACILITY

ANZA RD.



SITE AND PARKING PLAN

SCALE: 1/8" = 1'-0"

| REVISIONS | BY |
|-----------|----|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
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| | |
| | |

A CUSTOM DESIGNED PROJECT
 ANZA CANNABIS CULTIVATION FACILITY
 3573 N. Anza Rd. Palm Springs, Ca.

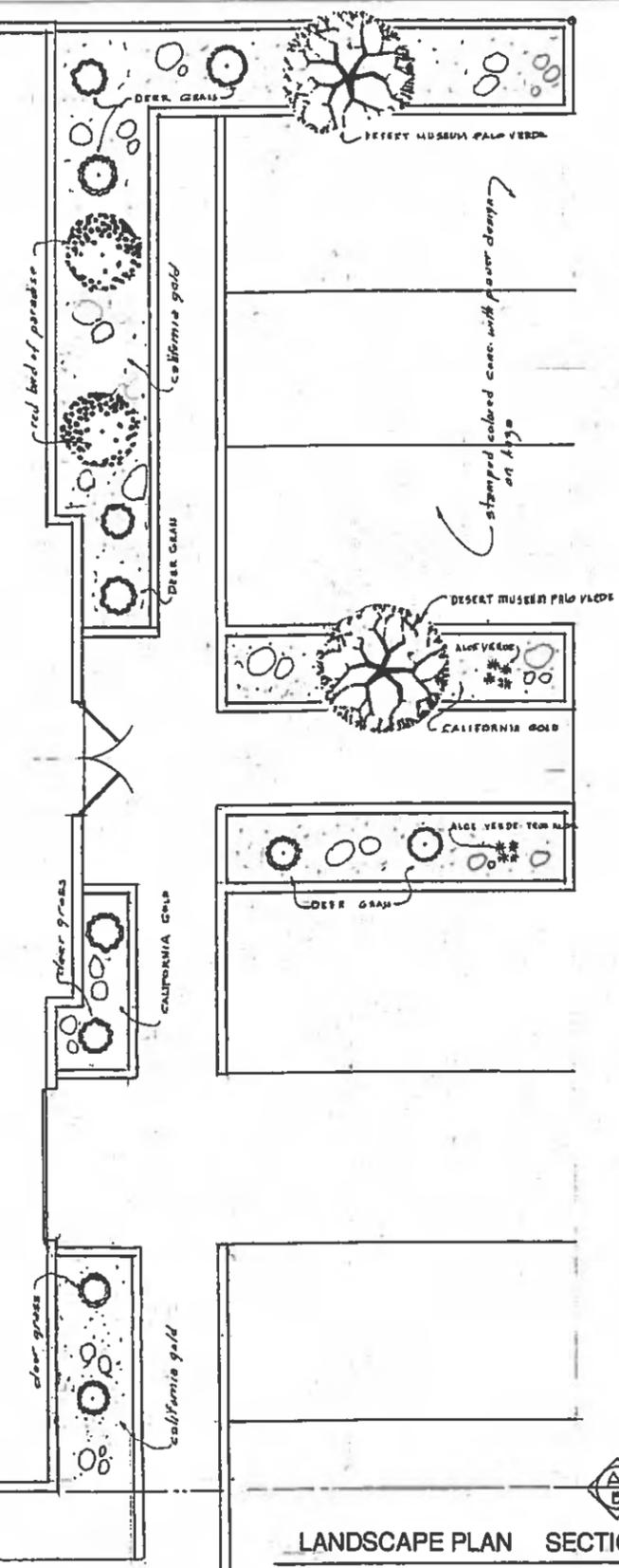
DRAWING DESIGNER
 TROYIS DEBARRIO
 TRUCK CONCRETS

DESIGN CLASSICS
 AN ARCHITECTURAL DESIGN FIRM
 2581 TRUIT AVE., SUITE 113, RIVER VALLEY, CA 92208

| DRAWN |
|--------------|
| |
| CHECKED |
| |
| DATE |
| 7-10-2018 |
| SCALE |
| |
| JOB NO. |
| FAN71818A/ND |
| SHEET |
| |
| OF SHEETS |

CANNABIS FACILITY

| PLANT SYMBOL | COMMON PLANT NAME | BOTANICAL NAME | QUANTITY | SIZE | AREA COVERAGE | WATER USE |
|------------------------|-----------------------------------|-------------------------|----------|--------------------------------------|---------------|-----------|
| SHRUBS & DESERT CACTUS | | | | | | |
| 1 | RED BIRD OF PARADISE | CAESALPINIA PULCHERRIMA | 1 | 15 GAL. | | |
| 2 | DEER GRASS | MUHLENBERGIA RIGENS | 20 | 15 GAL. | | |
| 3 | ALOE VERDE-TRUE ALOE | ALOE VERA | 2 | 25 GAL. | | |
| 4 | MEXICAN FENCE POST | PACHYCREUS MARGINATUS | 3 | 2' DIA. | | |
| 1. | CALIF. PAN PALM | WASHINGTONIA FILIFERA | 1 | 3' DIA. | | |
| 2. | DESERT MUSEUM (HYBRID) PALO VERDE | PARKINSONIA HYBRID | 11 | 4" DIA - 4' HIGH 3" DIA - 4' HIGH | | |



LANDSCAPE PLAN SECTION 'A'

| REVISIONS | BY |
|-----------|----|
| | |
| | |
| | |
| | |

A CUSTOM DESIGNED PROJECT
 ANZA CANNABIS CULTIVATION FACILITY
 3573 N. Anza Rd. Palm Springs, Ca.

LANDSCAPE DESIGNER
 THOMAS BERTRANDZ
 URBAN CONCEPTS

DESIGN CLASSICS
 1111 MONTECALMO BOULEVARD
 PALM SPRINGS, CA 92264

DATE
 7-10-18
 SCALE
 JOB NO.
 CANNABIS INC.
 SHEET
 L2

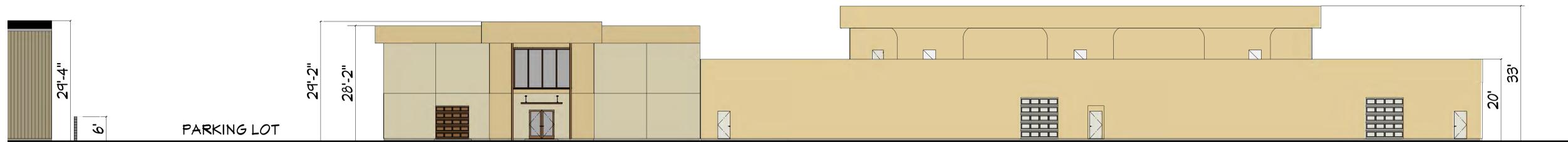


EXHIBIT A SUBJECT LOT AND RIGHT ADJACENT LOT FRONT ELEVATION SCALE=3/32"=1'-0"

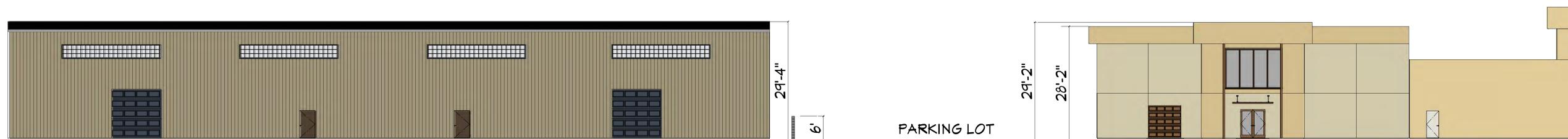


EXHIBIT A SUBJECT LOT AND LEFT ADJACENT LOT FRONT ELEVATION SCALE=3/32"=1'-0"

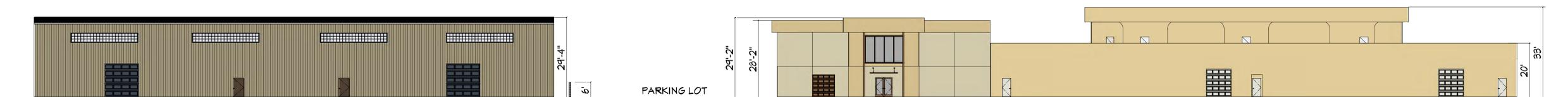


EXHIBIT A SUBJECT LOT AND ADJACENT LOT FRONT ELEVATION SCALE=1/16"=1'-0"

REVISION / DATE



STAMP

**URG
DESIGNS**
P.O. BOX 47478
LOS ANGELES, CA 90047
(323) 437-0160
EMAIL: LRDESIGN@GMAIL.COM

PROJECT: PROPOSED SITE PLAN
SITE ADDRESS: 3573 N. ANZA RD
PALM SPRINGS, CA
OWNER: RADIO P.S. PROPERTIES LLC.

DATE
7/9/2018

SCALE

SHEET
EXHIBIT A
OF SHEETS



30/05/2018



3443

30/05/2018

Hand-drawn markings on asphalt including:
- Blue arrows pointing in various directions.
- The number '160' in the center.
- The letters 'FH' with a double-headed arrow below it.
- Other illegible blue and red markings.



30/05/2018

Meeting Date: 09/12/2018

Subject

IDENTITY MUTUAL, LLC, REPRESENTING QUICK QUACK CAR WASH FOR A CONDITIONAL USE PERMIT AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 2,942-SQUARE FOOT AUTOMATIC CAR WASH ON A PAD SITE WITHIN THE PALM SPRINGS MARKETPLACE SHOPPING CENTER LOCATED AT 1717 EAST VISTA CHINO ROAD, ZONE CSC, SECTION 21 (CASE 5.1445 CUP AND 3.4090 MAJ). (GM)

RECOMMENDATION: Approval

Attachments

Quick Quack Car Wash



Planning Commission Staff Report

DATE: September 12, 2018

PUBLIC HEARING

SUBJECT: IDENTITY MUTUAL, LLC, REPRESENTING QUICK QUACK CAR WASH FOR A CONDITIONAL USE PERMIT AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 2,629-SQUARE FOOT AUTOMATIC CAR WASH ON A PAD SITE WITHIN THE PALM SPRINGS MARKETPLACE SHOPPING CENTER LOCATED AT 1717 EAST VISTA CHINO ROAD, ZONE CSC, SECTION 21 (CASE 5.1445 CUP AND 3.4090 MAJ).

FROM: Department of Planning Services

SUMMARY

This a request for the Planning Commission to review a Conditional Use Permit, and a Major Architectural Application for the construction of a new 2,629-square foot automatic car wash known as Quick Quack on a pad site within the Palm Springs Marketplace Shopping Center. The site will include a double stacking driveway leading to a single wash tunnel and associated vacuum area with canopy.

RECOMMENDATION: Approval

1. Approve the Conditional Use Permit;
2. Approval of the Major Architectural Application subject to attached conditions of approval.

PRIOR ACTIONS:

| <i>Related Relevant City Actions by Planning, Fire, Building, etc...</i> | |
|---|---|
| 1/27/1993 | City Council approved case 5.0631 PD-277 for the construction of a multi-tenant shopping center and associated pad sites. |
| 11/12/1998 | Planning Commission approved the construction of Auto Zone Auto Parts. |
| 12/10/2012 | Planning Commission approved the construction of O'Reilly Auto Parts. |
| 07/02/2018 | Architectural Advisory Committee reviewed the project and recommended approval subject to a subcommittee discussing the following issues: <ul style="list-style-type: none">• Question on the circulation on the site, drive aisle widths, and flipping vacuum area to west side.• Split face block be used to match existing shopping center.• Wrap columns around corners of building and lower height. |

| | |
|--|---|
| | <ul style="list-style-type: none"> Revisions to street palm tree heights, plants adjacent to shopping center driveway. |
|--|---|

BACKGROUND AND SETTING:

| Most Recent Ownership | |
|------------------------------|-----------------------------|
| 2/26/10 | Marketplace Investment, LLC |

| Notification | |
|---------------------|--|
| 08/30/2018 | Public Hearing notices sent to all property owners within 500 feet of subject property. |
| 09/07/2018 | Email notification sent to Racquet Club Estates, Gene Autry, Ranch Club Estates, El Rancho Vista Estates, Sunrise Vista Chino, and Movie Colony East Neighborhood Organizations. |

| Field Check | |
|--------------------|---|
| 06/2018 | Staff visited site to observe existing conditions |

| Details of Application Request | |
|---------------------------------------|-------------------------------------|
| Site Area | |
| Over All Site | 16-acres – Palm Springs Marketplace |
| Pad Site | 24,829- square feet – Quick Quack |

| General Plan, Zoning and Land Uses of Site & Surrounding Areas | | | |
|---|---|------------------------------------|--------------------------|
| | Existing General Plan Designations | Existing Zoning Designation | Existing Land Use |
| Site | NCC (Neighborhood Community Commercial) | CSC (Community Shopping Center) | Pad Site |
| North | O (Office) | P (Professional) | Vacant |
| South | NCC (Neighborhood Community Commercial) | CSC (Community Shopping Center) | Shopping Center |
| East | NCC (Neighborhood Community Commercial) | CSC (Community Shopping Center) | O'Reilly Auto Parts |
| West | NCC (Neighborhood Community Commercial) | CSC (Community Shopping Center) | Auto Zone Auto Parts |

DEVELOPMENT STANDARDS:

Development Standards for the CSC Zone pursuant to Section 92.11.03 of the PSZC.

| | CSC | Proposed Project | Comply |
|------------|----------------------------|-------------------------|---------------|
| Lot Area | 15 acres min for center | 24,829-sq ft pad | Yes |
| Lot Width | 500 feet min for center | 124 feet - pad | Yes |
| Lot Depth | N/A | N/A | Yes |
| Front Yard | 35 feet from property line | 45 feet | Yes |
| Side Yard | No Requirement | 29 feet | Yes |
| Rear Yard | No Requirement | 20 feet | Yes |

| | CSC | Proposed Project | Comply |
|------------------------|---|--|---------------|
| Building Height (max.) | 30 feet | 24'-8" feet | Yes |
| Bldg. Coverage | No Requirement | 12% | Yes |
| Off-street parking | 4 spaces for building | 8 spaces in vacuum area | Yes |
| | Car wash stacking equal to 5 times the capacity of car wash | Car wash holds 2 cars at a time = 10 stacking spaces in double queue lanes | Yes |
| Landscaping | No specific requirements | Landscape plan provided | Yes |

ANALYSIS:

Site Plan:

The project site is located within the Palm Springs Marketplace Shopping Center on a vacant pad site situated between Auto Zone and O'Reilly Auto Parts stores. The parcel is 24,829-square feet in size and is semi-graded and flat with frontage along East Vista Chino Road with access to the site from an existing internal driveway within the shopping center. The proposed project is for the construction of a new 2,629-square foot automatic car wash building with double queuing lanes which leads into a single bay washing area. In addition an eight (8) bay vacuum station covered by a canopy is to be located along the east parcel line.

The site will have one access driveway that is forty-five (45') feet wide to allow for greater maneuvering of autos into and out of the car wash. A twenty-four (24') foot wide two-way driveway on the east side of the building will provide access to the car wash queue line and an eight (8) stall vacuum area. The site layout with double lanes leading to a pay station will allow for orderly vehicle circulation throughout the site. The car wash building is proposed to be 2,629-square feet in size and contains the wash tunnel, cashier booth, office, employee lounge, and mechanical rooms.

The operation of the car wash will require the presence of two (2) workers during business hours from 7:00 AM until 10:00 PM, seven days a week. The employees will assist the customer with paying at a pay station and directing the vehicles onto the conveyor that guides the vehicle through the wash which lasts no longer than three (3) minutes while patrons stay inside the car. There are no employees to dry the cars and the vacuum stalls are self-serve and free of charge. Employees will also monitor the site for cleanliness and maintenance.

Other elements of the site plan include a large trash enclosure surrounded by a six (6') foot tall CMU block wall with metal gates located at the entrance to the site providing easy access by the disposal company. One (1) connected enclosure is proposed to contain the vacuum equipment.

The Palm Springs Zoning Code (PSZC) Section 93.06.00(C)(12) requires that when a parking area abuts a public street a four (4') foot tall decorative masonry wall must be erected to provide screening. Pedestrian access to the site is provided from a sidewalk along Vista Chino Road.

The business will utilize the latest in car wash equipment that minimizes environmental and sound impacts. The site will contain three (3) 1,500 gallon reclamation tanks installed underground to recapture and recycle 100% of the water used. A Quick Quack car wash will utilize 10-15 gallons of water per car and the water returned to the sewer system will be filtered of all contaminants such as grease, road dirt, and other pollutants.

The proposed site lighting includes the use of four (4) light poles at sixteen (16') feet tall with multiple LED fixtures. In addition, several exterior wall lights on the building exterior will wash the walls and lighting is proposed underneath the vacuum canopy. The photometric plan for the parking lot and covered areas of the buildings as presented meets the outdoor lighting standards per Section 93.21.00 of the PSZC.

Mass and Scale:

The proposed building height as measured from the flat pad elevation is 24'-8" feet to the upper portion of the car wash tunnel. The canopy over the pay stations will be ten (10') feet with other portions of the building at a maximum height of fourteen (14') feet with a parapet to screen the mechanical equipment. The curved canopy structure above the vacuum station will be ten (10') feet tall.

Building Design and Detailing:

The exterior of the building will be a combination of CMU block on the lower portion and stucco on top section. The main body will be constructed of integral CMU block in "Southwest Gold" color; columns at the corners will be a darker color named "Desert Yellow"; the upper portion of the building will be stucco in a beige color named "Believable Buff" and have scoring for visual relief. The trim around the windows is a medium brown named "Baguette", and the metal coping and standing seam roof elements are to be a dark brown named "Arresting Auburn". The building facades at the entrance and exit of the wash tunnel will have a detail highlighting the openings which will be constructed of stucco in a color named "Torchlight". The metal canopies over the vacuum area and the pay stations will be painted a color named "Brandywine". All windows will be aluminum clear anodized storefront frames. The north building elevation will have an area above the wash tunnel for the corporate Quick Quack logo sign. Signage is not part of this application, and any sign proposed will be evaluated by Staff against the approved sign program for the shopping center.

Landscape Plan:

The most visible portion of the site is the area fronting along East Vista Chino Road. The landscape plan seeks to provide enhanced plantings within the five (5') foot wide strip between the street sidewalk and four (4') tall screen wall. These plantings will include three (3) Fan Palms, with other understory plants including Red Yucca,

Boxwood, Bougainville, Green Carpet, Desert Spoon, and inert material such as boulders and stone. One (1) 24" box Palo Verde tree is proposed in the planter area adjacent to the O'Reilly Auto Parts store. Other plantings on the site in various areas include Gold Lantana, Dwarf Olive, and Fan Palms. The landscape plan shows plantings and a painted metal frame wire mesh fence in the narrow area between the car wash drive aisle and the internal shopping center road. Overall the plan appears to be balanced and will be consistent with other landscaping within the shopping center.

AAC Review:

The Architectural Advisory Committee (AAC) reviewed the project on July 2, 2018 and voted to recommend approval to the Planning Commission subject to a subcommittee discussing the following issues:

- Question on the circulation on the site, drive aisle widths, and flipping vacuum area to west side.
- Can split face block be used to match existing shopping center.
- Wrap columns around corners of building and lower height.
- Increase the height of the street palm trees and enhance the plants adjacent to the shopping center driveway.

The applicant revised the submission addressing the comments of the AAC. Changes to the plan include lowering the building height to 24'-8" over the wash tunnel; altering the building material to incorporate split face block to match the existing shopping center and wrapping the block columns around each building corner for balance. Enhanced landscaping has been added along the street frontage and shopping center driveway. In terms of redesigning the site layout to reorient the enter/exit configuration, the AAC subcommittee determined that the applicant has thoroughly studied the operations of their business and agree to recommend approval as presented.

REQUIRED FINDINGS:

This project's conformance to the architectural guidelines of the Zoning Ordinance is analyzed below.

CONDITIONAL USE PERMIT:

Section 94.02.00 of the Palm Springs Zoning Code (PSZC) requires that the following conditions be met in order to approve a Conditional Use Permit:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

PSZC Section 92.11.01(D)(4) allows for a car wash subject to the development standards contained in Section 92.11.03 of the PSZC. The proposed construction of a 2,629-square foot car wash facility within the CSC zone is a permitted use with the approval of a Conditional Use Permit.

2. *That the use is necessary or desirable for the development of the community, is*

in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.

The General Plan designation of the subject property is NCC (Neighborhood Community Commercial) located within the Palm Springs Marketplace Shopping Center in an area that contains numerous retail and service oriented businesses. The CSC land use designation is intended to provide an opportunity for convenience commercial uses that serve adjacent residential neighborhoods. The commercial opportunities created under this designation are intended to be an integrated element of the neighborhood, providing services to nearby residents. Harmonious relationships between the commercial uses and adjacent residential uses shall be achieved through compatibility of site design, building scale, pathways and circulation design, and architectural treatment of structures. The proposed car wash will meet the intended goals of the CSC land use designation by providing a useful service not currently being offered within the immediate area and the finding has been met.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The project site is located within the Palm Springs Marketplace Shopping Center on a vacant pad site situated between Auto Zone and O'Reilly Auto Parts stores. The parcel is 24,829-square feet in size and is semi-graded and flat with frontage along East Vista Chino Road with access to the site from an existing internal driveway within the shopping center. The construction of a new 2,629-square foot automatic car wash includes double queuing lanes leading into a single bay washing area, and an eight (8) bay vacuum station covered by a canopy. The building design will be a combination of CMU block on the lower portion and stucco on top section. The building facades at the entrance and exit of the wash tunnel will have a detail highlighting the openings with metal canopy over the vacuum area and the pay stations. The landscape plan will utilize a variety of desert landscaping and meet all required standards. Based upon the proposed site plan the finding has been met.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The flat 24,829-square foot pad site is located within the Palm Springs Marketplace Shopping Center which is located at the corner of two major thoroughfares of East Vista Chino Road and North Sunrise Way. Internal access will be via driveway at the southern end of the pad site. The car wash building placed in a north-south orientation will be visible from East Vista Chino providing easy access from the shopping center internal driveway. Pedestrian access will

be provided via a sidewalk leading from East Vista Chino Road onto the site. A traffic analysis was prepared as part of the initial CEQA review for the larger shopping center and a traffic light was added at the corner of East Vista Chino Road and North Cerritos Road to facilitate full turning movements into and out of the site. Based upon the recent installation of the traffic light a determination can be made that the finding has been met.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The conditions imposed as part of this Conditional Use Permit are intended to minimize impacts on the surrounding community. The CUP approval will work in conjunction with the Major Architectural approval by the City. The site plan as approved will allow for the orderly development of the pad site as a car wash facility.

Architectural Review:

Pursuant to Section 94.04.00(D) of PSZC, specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance is evaluated based on consideration of the following:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*

The proposed car wash is sited on a vacant pad site within the Palm Springs Marketplace Shopping Center; it is appropriate for the auto oriented retail use located between two auto parts stores at the intersection of two major thoroughfares. The new car wash building and accessories structures will be constructed at the appropriate setbacks and be similar in size and scale to existing retail buildings in the immediate vicinity. Access to the site will be via an internal driveway within the shopping center. Pedestrian access to the site is from a new sidewalk leading from East Vista Chino onto the lot. Existing sidewalks are present throughout the immediate area.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The proposed construction of a new 2,629-square foot car wash facility within the Palm Springs Marketplace Shopping Center is intended for this type of development and will be compatible with the existing retail uses. The building

architecture differs somewhat from the existing buildings within the shopping center, however the use of similar building material such as split face block and a tan color scheme will provide variety and will not be out of character with structures found in the immediate vicinity. Therefore, the project will have harmonious relationship within the context of the immediate area and avoid monotonous repetition.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The proposed building is to be placed in the center of the pad site with off-street parking provided in eight (8) parking spaces located underneath a vacuum canopy. The main structure will be setback forty-five (45') feet from East Vista Chino Road with easy access from the internal driveway. The maximum building height will be 24'-8" feet with a parapet fully screening all equipment from view and the finding has been met.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*
AND
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously,*
AND
6. *Consistency of composition and treatment,*

The exterior of the building will be a combination of CMU block on the lower portion and stucco on top section. The main body will be constructed of integral CMU block in "Southwest Gold" color; columns at the corners will be a darker color named "Desert Yellow"; the upper portion of the building will be stucco in a beige color named "Believable Buff" and have scoring for visual relief. The trim around the windows is a medium brown named "Baguette", and the metal coping and standing seam roof elements are to be a dark brown named "Arresting Auburn". The building facades at the entrance and exit of the wash tunnel will have a detail highlighting the openings which will be constructed of stucco in a color named "Torchlight". The metal canopies over the vacuum area and the pay stations will be painted a color named "Brandywine". All windows will be aluminum clear anodized storefront frames. The north building elevation will have an area above the wash tunnel for the corporate Quick Quack logo sign. The building design will be compatible with the existing warehouse structures in the immediate area and the finding has been met.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The conceptual landscape scheme provides a good selection of appropriate

plantings that will utilize a variety of drought tolerant plants. The site is visible from East Vista Chino Road and a four (4') foot tall wall will be placed between the sidewalk and the drive-up lane with enhanced landscaping to soften and buffer the site from the street.

8. *Signs and graphics, as understood in architectural design including materials and colors*

No signage is proposed at this time.

ENVIRONMENTAL DETERMINATION:

The proposed development is a project as defined by the California Environmental Quality Act (CEQA). The project is categorically exempt from environmental review pursuant to Section 15332 (Class 32 – “In-Fill Development”) of the California Environmental Quality Act (CEQA)..

CONCLUSION:

The proposal to construct a 2,629-square foot automatic car wash facility on a vacant pad site located within the Palm Springs Marketplace Shopping Center adjacent to other auto oriented business is an appropriate location. The development meets all the development standards of the PSZC and is in conformance with the General Plan Land Use designation. In addition, findings for a Conditional Use Permit and a Major Architectural Application can be made and based upon these facts Staff recommends approval of the project with conditions.



Glenn Mlaker, AICP
Associate Planner

Flinn Fagg, AICP
Director of Planning Services

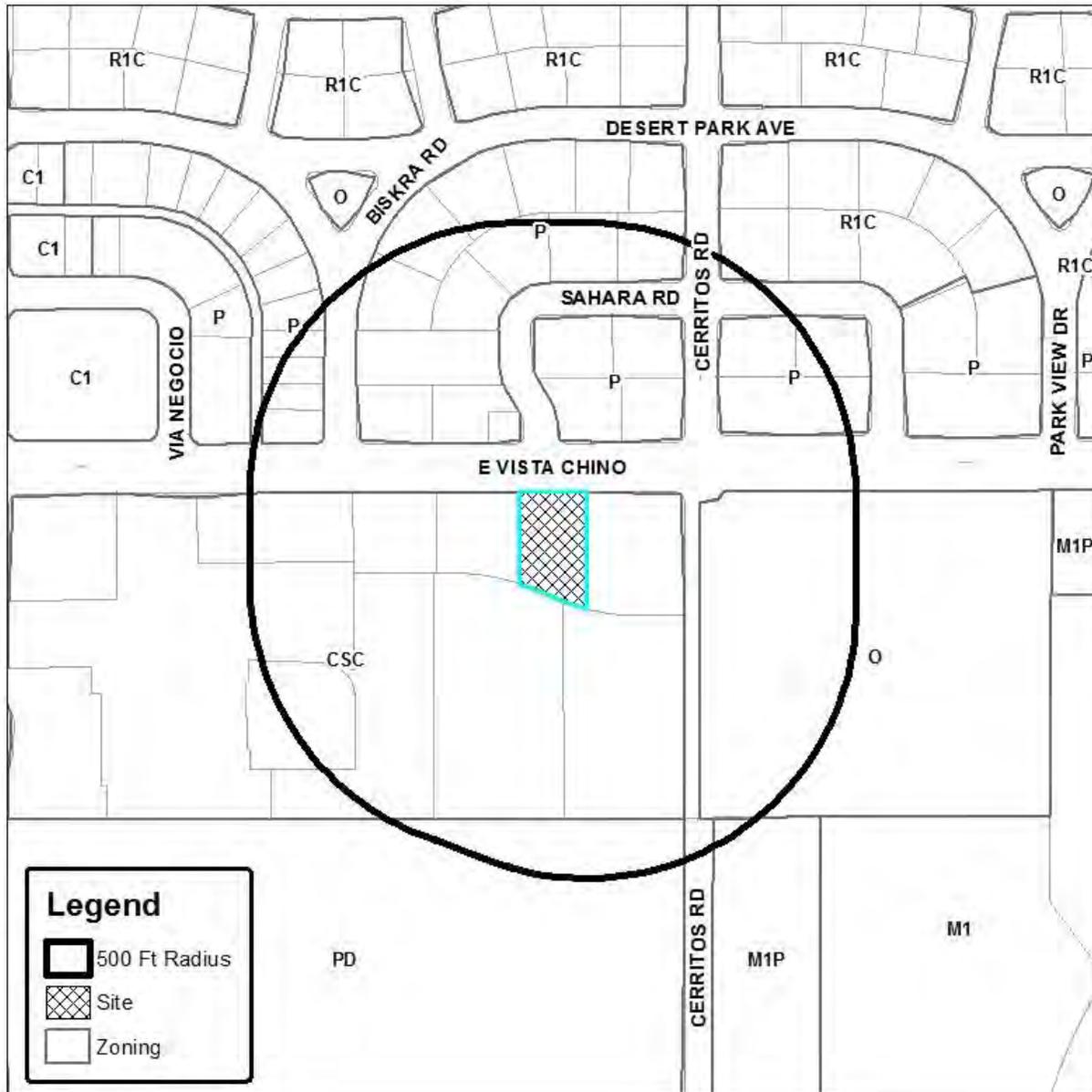
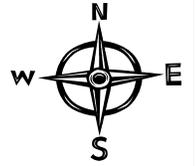
Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Justification Letter
5. Minutes of AAC Meeting – 7/2/18
6. Ownership Disclosure
7. Letter from Riverside County Airport Land Use Commission
8. Site Photos
9. Material Board
10. Site Plan
11. Floor Plan
12. Roof Plan

- 13. Building Elevations
- 14. 3D Images
- 15. Site Sections
- 16. Landscape Plan
- 17. Photometric Plan



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1445 CUP

APPLICANT: Identity Mutual, LLC, Representing Quick Quack Car Wash

ADDRESS: 1717 East Vista Chino Road

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT CASE NO. 5.1445 CUP; AND A MAJOR ARCHITECTURAL APPLICATION CASE NO. 3.4090 MAJ TO CONSTRUCT A 2,629-SQUARE FOOT AUTOMATIC CAR WASH ON A PAD SITE WITHIN THE PALM SPRINGS MARKETPLACE SHOPPING CENTER LOCATED AT 1717 EAST VISTA CHINO ROAD, ZONE CSC.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. Identity Mutual, LLC. (“Applicant”) representing Quick Quack Car Wash has filed a Conditional Use Permit (Case 5.1445 CUP) and a Major Architectural applications (Case 3.4090 MAJ) with the City pursuant to Sections 94.02.00 (Conditional Use Permit); and 94.04.00 (Architectural Review) of the Palm Springs Zoning Code for the construction of a 2,629-square foot car wash facility on a 24,829-square foot vacant pad site within the Palm Springs Marketplace Shopping Center located at 1717 East Vista Chino Road. (This application, Cases 5.1445 CUP and 3.4090 MAJ, is referred to herein as the “Project”.)
- B. On July 2, 2018, the Architectural Advisory Committee reviewed the proposed Project and voted to recommend approval to the Planning Commission with review by a subcommittee based upon the following comments:
- Question on the circulation on the site, drive aisle widths, and flipping vacuum area to west side.
 - Split face block be used to match existing shopping center.
 - Wrap columns around corners of building and lower height.
 - Revisions to street palm tree heights, plants adjacent to shopping center driveway.
- C. Notice of a public hearing of the Planning Commission of the City of Palm Springs to consider the Project was given in accordance with applicable law.
- D. On September 12, 2018, the Planning Commission held a public hearing to consider the Project in accordance with applicable law.
- E. The proposed development is a project as defined by the California Environmental Quality Act (CEQA). The project is categorically exempt from environmental review pursuant to Section 15332 (Class 32 – “In-Fill Development”) of the California Environmental Quality Act (CEQA).

F. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the Project, including, but not limited to, the staff report, and all written and oral testimony presented.

G. Pursuant to Section 92.11.01(D)(4) of the CSC Zone in conformance with Section 94.02.00 of the Palm Springs Zoning Code for a Conditional Use Permit the Planning Commission finds:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

PSZC Section 92.11.01(D)(4) allows for a car wash subject to the development standards contained in Section 92.11.03 of the PSZC. The proposed construction of a 2,629-square foot car wash facility within the CSC zone is a permitted use with the approval of a Conditional Use Permit.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject property is NCC (Neighborhood Community Commercial) located within the Palm Springs Marketplace Shopping Center in an area that contains numerous retail and service oriented businesses. The CSC land use designation is intended to provide an opportunity for convenience commercial uses that serve adjacent residential neighborhoods. The commercial opportunities created under this designation are intended to be an integrated element of the neighborhood, providing services to nearby residents. Harmonious relationships between the commercial uses and adjacent residential uses shall be achieved through compatibility of site design, building scale, pathways and circulation design, and architectural treatment of structures. The proposed car wash will meet the intended goals of the CSC land use designation by providing a useful service not currently being offered within the immediate area and the finding has been met.

3. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The project site is located within the Palm Springs Marketplace Shopping Center on a vacant pad site situated between Auto Zone and O'Reilly Auto Parts stores. The parcel is 24,829-square feet in size and is semi-graded and flat with frontage along East Vista Chino Road with access to the site from an existing internal driveway within the shopping center. The construction of a new 2,629-square foot automatic car wash includes double queuing lanes leading into a single bay

washing area, and an eight (8) bay vacuum station covered by a canopy. The building design will be a combination of CMU block on the lower portion and stucco on top section. The building facades at the entrance and exit of the wash tunnel will have a detail highlighting the openings with metal canopy over the vacuum area and the pay stations. The landscape plan will utilize a variety of desert landscaping and meet all required standards. Based upon the proposed site plan the finding has been met.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The flat 24,829-square foot pad site is located within the Palm Springs Marketplace Shopping Center which is located at the corner of two major thoroughfares of East Vista Chino Road and North Sunrise Way. Internal access will be via driveway at the southern end of the pad site. The car wash building placed in a north-south orientation will be visible from East Vista Chino providing easy access from the shopping center internal driveway. Pedestrian access will be provided via a sidewalk leading from East Vista Chino Road onto the site. A traffic analysis was prepared as part of the initial CEQA review for the larger shopping center and a traffic light was added at the corner of East Vista Chino Road and North Cerritos Road to facilitate full turning movements into and out of the site. Based upon the recent installation of the traffic light a determination can be made that the finding has been met.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The conditions imposed as part of this Conditional Use Permit are intended to minimize impacts on the surrounding community. The CUP approval will work in conjunction with the Major Architectural approval by the City. The site plan as approved will allow for the orderly development of the pad site as a car wash facility.

H. Pursuant to Section 94.04.00 of the Palm Springs Zoning Code relative to Architectural review, the Planning Commission finds:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*

The proposed car was is sited on a vacant pad site within the Palm Springs Marketplace Shopping Center; it is appropriate for the auto oriented retail use located between two auto parts stores at the intersection of two major thoroughfares. The new car wash building and accessories structures will be

constructed at the appropriate setbacks and be similar in size and scale to existing retail buildings in the immediate vicinity. Access to the site will be via an internal driveway within the shopping center. Pedestrian access to the site is from a new sidewalk leading from East Vista Chino onto the lot. Existing sidewalks are present throughout the immediate area.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The proposed construction of a new 2,629-square foot car wash facility within the Palm Springs Marketplace Shopping Center is intended for this type of development and will be compatible with the existing retail uses. The building architecture differs somewhat from the existing buildings within the shopping center, however the use of similar building material such as split face block and a tan color scheme will provide variety and will not be out of character with structures found in the immediate vicinity. Therefore, the project will have harmonious relationship within the context of the immediate area and avoid monotonous repetition.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The proposed building is to be placed in the center of the pad site with off-street parking provided in eight (8) parking spaces located underneath a vacuum canopy. The main structure will be setback forty-five (45') feet from East Vista Chino Road with easy access from the internal driveway. The maximum building height will be 24'-8" feet with a parapet fully screening all equipment from view and the finding has been met.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*
AND
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously,*
AND
6. *Consistency of composition and treatment,*

The exterior of the building will be a combination of CMU block on the lower portion and stucco on top section. The main body will be constructed of integral CMU block in "Southwest Gold" color; columns at the corners will be a darker color named "Desert Yellow"; the upper portion of the building will be stucco in a beige color named "Believable Buff" and have scoring for visual relief. The trim around the windows is a medium brown named "Baguette", and the metal coping

and standing seam roof elements are to be a dark brown named "Arresting Auburn". The building facades at the entrance and exit of the wash tunnel will have a detail highlighting the openings which will be constructed of stucco in a color named "Torchlight". The metal canopies over the vacuum area and the pay stations will be painted a color named "Brandywine". All windows will be aluminum clear anodized storefront frames. The north building elevation will have an area above the wash tunnel for the corporate Quick Quack logo sign. The building design will be compatible with the existing warehouse structures in the immediate area and the finding has been met.

7. *Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The conceptual landscape scheme provides a good selection of appropriate plantings that will utilize a variety of drought tolerant plants. The site is visible from East Vista Chino Road and a four (4') foot tall wall will be placed between the sidewalk and the drive-up lane with enhanced landscaping to soften and buffer the site from the street.

8. *Signs and graphics, as understood in architectural design including materials and colors*

No signage is proposed at this time.

THE PLANNING COMMISSION RESOLVES:

That the findings and determinations reflected above are true and correct, and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolution. Based upon the foregoing, the Planning Commission hereby approves Cases Nos. 5.1445 CUP and 3.4090 MAJ for the construction of a 2,629-square foot automatic car wash facility on a 24,829-square foot vacant pad site within the Palm Springs Marketplace Shopping Center located at 1717 East Vista Chino Road, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 12th day of September, 2018.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Conditional Use Permit Case 5.1445 CUP
Major Architectural Case 3.4090 MAJ

Identity Mutual LLC, representing Quick Quack Car Wash

1717 East Vista Chino Road

September 12, 2018

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1445 CUP and 3.4090 MAJ;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped August 30, 2018, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City, County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim,

action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1445 CUP and 3.4090 MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the Major Architectural Applications (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 10. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers (conditional use permits only)

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.

Conditions imposed by Planning Commission

- PLN 3. Add here

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

For specific Conditions of Approval see letter dated August 16, 2018.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

FIRE DEPARTMENT CONDITIONS

FID 1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the site plan stamped received on May 15, 2018. Additional requirements may be required at that time based on revisions to plans.

FID 2. Fire Department Conditions were based on the *2016 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code, PSFD Appendix "O" Development Requirements and latest adopted NFPA Standards. Three (3) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal. No deferred submittals accepted.

FID 3. **PLANS AND PERMITS (CFC 105.1)**

Permits and scaled drawings are required for this project. Plan reviews can take up to 20 working days. Submit a minimum of three (3) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the

fire inspector. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

FID 4. **Fire Apparatus Access Roads (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- **Fire Apparatus Access Road (CFC 202 Definitions)** – A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.
- **Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (*for designated fire lanes*) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

FID 5. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.

FID 6. **Fire Flow Requirements (CFC Appendix B):** Fire flow requirement for this project is 1,500 GPM for a 2-hour duration. Construction Type V-B

FID 7. **Key Required Box Required (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

FID 8. **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.

FID 9. **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & Table C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.

- Maximum distance from any point on street frontage to a public hydrant – 250 feet.
- Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to an during construction.

FID 10. **NFPA 13 Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13, 2016 Edition, as modified by local ordinance.

Project Note: Fire Area exceeds 3,000-square feet – Fire Sprinklers required.

ENGINEERING DEPARTMENT CONDITIONS

The Engineering Division recommends that if this application is approved, such approval is subject to the following conditions being completed in compliance with City standards and ordinances.

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer.

STREETS

ENG 1. Applicant shall obtain State permits and approval of plans for any work done on State Highway 111. A copy of an approved Caltrans encroachment permit shall be provided to the City Engineer prior to the issuance of any grading or building permits if there is any work being done in the public right-of-way on State Highway 111.

ON-SITE

ENG 2. The on-site layout of drive aisles and parking spaces is subject to further review and approval by the City Engineer. Adjustment of proposed street alignments, and deletion or relocation of proposed parking spaces may be required during review and approval of construction plans for on-site improvements, as required by the City Engineer. Approval of the preliminary site plan does not constitute approval of the on-site layout of streets and parking spaces as proposed.

ENG 3. For on-site bay parking in residential and commercial zones, paving material shall be decorative paving, colored and/or patterned to relate to the overall design in accordance with Zoning Code 93.06.00.C.15.e.

ENG 4. The minimum pavement section for all on-site pavement shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 5. On-site drive aisles or parking lot shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

SANITARY SEWER

ENG 6. All sanitary facilities shall be connected to the public sewer system. The existing sewer service to the property shall be used for new sanitary facilities. New laterals shall not be connected at manholes.

GRADING

ENG 7. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Services Department for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Services Department for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Services Department with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Services Department prior to approval of the Grading plan.

b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report; a copy of the project-specific Final Water Quality Management Plan.

ENG 8. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist (a copy of the written approval must be provided to the City) . The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at ACBCI-THPO@aguacaliente.net to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other

construction, and to arrange payment of any required fees associated with Tribal monitoring.

- ENG 9. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 10. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 11. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 12. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 13. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Services Department with the first submittal of a grading plan. (if required)
- ENG 14. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided even though there may not be a grading plan for the project. Prior to issuance of Building Permits

- ENG 15. The applicant shall provide Grading Certification for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Services Department prior to issuance of any Building Permit.
- ENG 16. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

WATER QUALITY MANAGEMENT PLAN

- ENG 17. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 18. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-

Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

ENG 19. Prior to issuance of certificate of occupancy or final City approvals (OR of “final” approval by City), the applicant shall: (a) demonstrate that all structural BMP’s have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP’s included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

ENG 20. For industrial facilities subject to the General Permit for Stormwater Discharges Associated with Industrial Activity as defined by the Standard Industrial Classification (SIC) code, prior to issuance of certificate of occupancy (OR of “final” approval by City), the applicant shall demonstrate that General Permit coverage has been obtained by providing a copy of the Notice of Intent submitted to the SWRCB and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing.

DRAINAGE

ENG 21. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.

ENG 22. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$10,059.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

ENG 23. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

ENG 24. All proposed utility lines shall be installed underground.

ENG 25. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 26. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.

ENG 27. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Services Department prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 28. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 29. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

ENG 30. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee

(CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

TRAFFIC

- ENG 31. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks. Minimum clearance on public sidewalks shall be provided by either an additional dedication of a sidewalk easement if necessary and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.
- ENG 32. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 33. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 34. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.
- ENG 35. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

END OF CONDITIONS



2980 E. Northern Ave., Suite A
Phoenix, Arizona 85028
(602) 667-6685
FAX (602) 667-6612

May 9, 2018

City of Palm Springs
Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

**Re: Justification Letter
Proposed Quick Quack Car Wash
SEC Vista Chino Rd. & Sunrise Way CUP & Major Architectural Review
Palm Springs, California**

To whom it may concern:

This document is to supplement our submittal for a Conditional Use Permit and Major Architectural Review for a Quick Quack express car wash at the southeast corner of Vista Chino Road and Sunrise Way. We desire to construct a free-standing car wash of approximately 2,942 square feet on this parcel of approximately 29,000 square feet. The site is zoned CSC, in which a car wash is permitted with a Conditional Use Permit. We seek approval for this Conditional Use Permit to allow a car wash use at this location.

Our intent is to build a first-class operation consistent with the branding that Quick Quack builds in the Coachella Valley, as well as in Phoenix and the Inland Empire portions of southern California. Quick Quack is currently the 6th largest car wash in its category in the United States, and will be ranked #2 or #3 by the time this unit opens in 2019. Quick Quack is a touchless car wash: they have two employees on site to assist the customer with paying and guiding them on to the conveyor that guides them through the wash. There are no employees to dry the cars, and the vacuum stalls are self-service and free of charge.

The approval criteria for a Conditional Use Permit are addressed below:

- a. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code*

Section 92.10.01 states that a car wash is permitted in CSC zoning with a Conditional Use Permit.

RECEIVED

MAY 15 2018

PLANNING SERVICES
DEPARTMENT

S. 1445/3.4094

A. Uses Permitted.

A community shopping center should feature those commercial sales and service establishments that satisfy the primary needs of the city's residential community at large. It is neither intended nor permitted for these facilities to dilute or detract from the commercial uses established in the downtown shopping district. Tourist-oriented commercial uses are not considered to be viable land use in the C-5-C zone.

Buildings, structures and land shall be used and buildings and structures shall thereafter be erected, altered or enlarged only for the following uses. All uses shall be subject to the standards in Section 92.09.01.

1. All uses allowed in the C-D-N zone, Section 92.10.01(A).
2. Department stores.
3. Bowling alleys.
4. Home improvement centers.
5. Religious institutions.
6. Roller or ice skating facilities.
7. Theaters.

B. Similar Uses Permitted by Commission Determination.

The commission may, by resolution of record, permit any other uses which it may determine to be similar to those listed above, and no more obnoxious or detrimental to the public health, safety and welfare or to the other uses permitted in the zone, as provided in Section 94.01.00. All uses shall be subject to the standards in Section 92.09.01.

C. Uses Permitted by Land Use Permit.

1. Uses permitted by land use permit in the C-D-N zone, Section 92.10.01(B).

D. Uses Permitted by Conditional Use Permit (unless otherwise permitted).

If not approved as part of the original plan, the following uses may be permitted subject to further approval of a conditional use permit, as provided in Section 94.02.00. Such uses shall be designed integrally with the center.

1. Automobile service stations, limited to the dispensing of motor fuels and oils, lubrication, sales and service of tires, tubes, batteries, and other minor accessories. No major automotive repair shall be permitted, such as engine, radiator, transmission or body repair.
2. Bowling alleys (Deleted by Ord. 1418).
3. Business schools not exceeding forty thousand (40,000) square feet of gross building area.
4. Car washes.

- b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located*

Quick Quack is a convenience / service use and an amenity to the surrounding retail and neighborhoods. It is not a destination: it does not generate extra traffic to the intersection, instead getting its customers from traffic passing by. Unlike carwashes typically found at gas stations or full-service carousel style washes, Quick Quack uses a conveyor that keeps its patrons inside the vehicle and keeps cars moving even if there are cars in line. The entire wash cycle lasts no longer than three minutes and since there is no waiting for other cars, and most patrons rarely spend more than five minutes from the time they pull in until they leave the site.

Quick Quack Car Wash compliments the tenant mix at this shopping center as it pulls traffic off the road into the center without generating additional traffic to the intersection. Quick Quack is a service use such as a dry cleaner or gas station.

- c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood*

This site accommodates our proposed use very well, taking all setbacks, landscaping and other required features. We have worked with staff on multiple site plans to achieve a plan that meets code and works well with the existing structures and traffic in the shopping center. Please see plans for reference.

- d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use*

Operation of a car wash is a convenience use, utilized by traffic already at the intersection and the local neighbors and businesses. The use complies with all laws in the City of Palm Springs. The Purpose of the CSC Zone is "The C-S-C zone is designed to combine the general variety of community-level commercial services, in a planned shopping complex. The organization of services into a coordinated and interrelated complex is found to be a desirable alternative to scattered strip commercial development." A car wash fits within this description when looking at the uses in the local area, including gas stations, restaurants, and other retail uses.

e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. Such conditions may include:

- i. Regulation of use,*
- ii. Special yards, space and buffers,*
- iii. Fences and walls,*
- iv. Surfacing of parking areas subject to city specifications,*
- v. Requiring street, service road or alley dedications and improvements or appropriate bonds,*
- vi. Regulation of points of vehicular ingress and egress,*
- vii. Regulation of signs,*
- viii. Requiring landscaping and maintenance thereof,*
- ix. Requiring maintenance of the grounds,*
- x. Regulation of noise, vibration, odors, etc.,*
- xi. Regulation of time for certain activities,*
- xii. Time period within which the proposed use shall be developed,*
- xiii. Duration of use,*
- xiv. Dedication of property for public use,*
- xv. And such other conditions as will make possible the development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Zoning Code, including but not limited to mitigation measures outlined in an environmental assessment.*

Quick Quack goes above and beyond to ensure that their use does not cause an adverse impact to the existing tenant base. The hours of operation are 7am – 10pm. This is done by utilizing state of the art equipment that does not pollute the environment with excess noise, smoke, or odors. As mentioned earlier, this added use to the intersection will not increase traffic either. Any other potential issues that arise will be examined, and reports will be conducted if necessary to prove that Quick Quack meets these standards.

In addition to these items it is also worth noting that we utilize the latest in car wash equipment that minimizes the environmental impact and sound impact. Three 1500 gallon reclaim tanks are installed to

recapture and recycle 100% of the water. It is stated that when a car is washed in a customer's driveway, they utilize between 100-125 gallons of water that wash dirt, grease, and other pollutants into the streets and storm drains. At Quick Quack, we utilize a net 10-15 gallons of water per car, and the water returned to the sewer system has been filtered of all of these contaminants. Obviously, we need to preserve as much of our precious water we can living in a desert climate.

We are excited to have the opportunity to open our first Quick Quack in the City of Palm Springs.

Regards,



Michael R. Clark
602-717-6717
mclark@mutualdevco.com

1. APPROVAL OF MINUTES: JUNE 4, 2018 AND JUNE 18, 2018

Minutes of June 4, 2018 approved as presented. (Minutes of June 18, 2018 were continued.)

- 2. ROSIAN V, LLC, FOR APPROVAL OF A FINAL PLANNED DEVELOPMENT DISTRICT (PDD) FOR A PROPOSED RENOVATION AND ADDITIONS TO AN EXISTING 62-ROOM HOTEL TO ADD AN OUTDOOR MUSIC VENUE, AN OUTDOOR RESTAURANT USE, AND OUTDOOR COCKTAIL LOUNGE USE AND SUPPORT SPACES AT THE MONROE HOTEL (AKA INFUSION BEACH HOTEL) LOCATED AT 1900 NORTH PALM CANYON DRIVE (CASE 5.1409 PDD 387; RELATED CASES 5.1409 CUP / 3.864 MAA / 6.550 VAR, (APN 504-320-026, ZONE C-1/ R-3 / RESORT COMBINING ZONE). (KL)**

Approved as presented.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

- 3. IDENTITY MUTUAL, LLC, REPRESENTING QUICK QUACK CAR WASH FOR A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 2,942-SQUARE FOOT AUTOMATIC CAR WASH ON A PAD SITE WITHIN THE PALM SPRINGS MARKETPLACE SHOPPING CENTER LOCATED AT 1717 EAST VISTA CHINO ROAD, ZONE CSC, SECTION 21 (CASE 3.4090 MAJ). (GM)**

Associate Planner Mlaker presented the proposed car wash as outlined in the staff memorandum.

MICHAEL CLARK, applicant, spoke about their other locations in the Coachella Valley, touch-less carwash system; building architecture, canopy and environmentally friendly water conservation. Mr. Clark was available to answer questions from the AAC.

Member Doczi requested information on site vehicular circulation. Mr. Doczi noted that a lot of area is used for paving/circulation.

Member Jakway questioned if this is a corporate design. (The arch at entry is the only standard feature.) He asked if there is a reason for the building height and if it could be lower.

Member Rotman asked where the employee parking is located- (in shopping center); and verified if there is way finding on the site- (yes).

Chair Song questioned if the vacuum cleaners could be located on the way out to avoid vehicular conflicts.

JOE WALTERS, applicant, responded that they examined different layouts for efficiency.

Chair Song questioned the exterior finishes and said she'd like to see the pilasters wrap around the corner and adjust the arch design. Ms. Song questioned the fenestration design and wondered if the two windows could be combined. (He'd like to explore to see if it's structurally possible.) She verified if the color scheme was corporate mandate- (yes).

Member Jakway verified if they would consider using split face concrete block to match rest of shopping center- (applicant will verify). He questioned if public restrooms are needed- (no).

Member Doczi questioned the flag pole height and pointed out that the way finding needs to make circulation work. Mr. Doczi said palm trees should be 14' in height on Vista Chino and additional or larger plants on the landscape buffer on east side.

Member Jakway questioned if the vacuum area could be attached to the building for a more cohesive architectural piece that might help reduce the feeling of the building height. He thinks wrapping the columns to the front façade will improve the design. Mr. Jakway questioned the design of the screen wall.

Member Rotman noted concern with the corporate design. He thinks the windows on the west elevation should be combined. He noted concerns about the vehicular circulation in the vacuum area and thinks the design of the building is too busy.

Vice Chair Cassady supports changes to the pilasters and thinks the coping should align with shade structure. He shared concerns with the vehicular circulation in the vacuum area.

Chair Song supports moving the vacuum area against the building to resolve the circulation issues.

Song, seconded by Cassady to approve subject to subcommittee (Doczi and Cassady) review:

1. Incorporate fence and identify the issues discussed by the AAC in subcommittee review.

AYES: Doczi, Jakway, Rotman, Cassady, Song

ABSENT: Lockyer, McCoy

CERTIFICATE OF FORMATION
OF
QUICK QUACK DEVELOPMENT, LLC

1. The name of the limited liability company is Quick Quack Development, LLC.
2. The address of its registered office in the State of Delaware is: Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, Delaware 19801.
3. The name of its registered agent at such address is The Corporation Trust Company.
4. The duration of the company is Perpetual.

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Formation of Quick Quack Development, LLC, this 21st day of August, 2015.

By: 

Ian B. Carter, Authorized Person

Delaware

PAGE 1

The First State

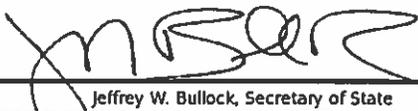
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "QUICK QUACK DEVELOPMENT, LLC", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF AUGUST, A.D. 2015, AT 6:05 O'CLOCK P.M.



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You may verify this certificate online
at corp.delaware.gov/authvcr.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 2668925

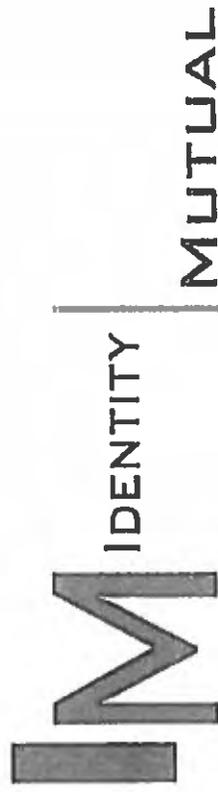
DATE: 08-22-15

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AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY

RECEIVED

AUG 30 2018

PLANNING SERVICES
DEPARTMENT



August 16, 2018

Mr. Glenn Mlaker, Associate Planner
City of Palm Springs Planning Department
3200 E. Tahquitz Canyon Way
Palm Springs CA 92262

CHAIR

Steve Manos
Lake Elsinore

VICE CHAIR

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Desert Hot Springs

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Paul Rull
Barbara Santos

County Administrative Center
4080 Lemon St, 14th Floor
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1065PS18
Related File Nos.: Case 5.1445 CUP (Conditional Use Permit), Case 3.4090 MAJ
(Major Architectural Application)
APN: 507-301-018

Dear Mr. Mlaker:

On August 9, 2018, the Riverside County Airport Land Use Commission (ALUC) found City of Palm Springs Case No. Case 5.1445 CUP (Conditional Use Permit) and Case 3.4090 MAJ (Major Architectural Application) proposing to construct and operate a 2,942 square foot automatic car wash establishment including a car wash tunnel, cashier booth, and storage and mechanical room on a 0.56 acre pad-parcel within the Palm Springs Marketplace Shopping Center located on the southerly side of Vista Chino, westerly of its intersection with Cerritos Drive and easterly of its intersection with Sunrise Way, **CONSISTENT** with the 2005 Palm Springs Airport Land Use Compatibility Plan, subject to updated conditions provided at the meeting that incorporate requirements included in the Federal Aviation Administration (FAA) Determination of No Hazard to Air Navigation letter issued on July 30, 2018 (new FAA conditions added at the hearing shown in **bold type**).

CONDITIONS:

1. Any new outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers

containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor nonresidential uses, places of worship, aboveground bulk storage of 6,000 gallons or more of flammable or hazardous materials, and hazards to flight
3. The attached notice shall be given to all prospective purchasers and/or lessees of the property.
 4. Prior to issuance of a building permit, the property owner shall convey an avigation easement to Palm Springs International Airport. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the City of Palm Springs.
 5. Any new detention basin(s) on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

Trees shall be spaced to avoid creation of a continuous canopy. Landscaping in and around any detention basin shall not include vegetation that produces seeds, fruits, or berries.
 6. Any subsequent Design Review, Conditional Use Permit, Tenant Improvement, or other permitting that would alter the use and occupancy of the proposed building shall require ALUC review.

The following conditions were added at the August 9, 2018 ALUC hearing.

7. **The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2018-AWP-11831-OE) and has determined that neither marking nor lighting of the structure(s) is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 1 and shall be maintained in accordance therewith for the life of the project.**
8. **The proposed buildings shall not exceed a height of 28 feet above ground level and a maximum elevation at top point of 527 feet above mean sea level.**
9. **The maximum height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.**
10. **Temporary construction equipment used during actual construction of the structure(s) shall not exceed 28 feet in height and a maximum elevation of 527 feet**

above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

11. Within five (5) days after construction of any individual building reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure(s).

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity
Aeronautical Study No. 2018-AWP-11831-OE

cc: Michael Clark, Identity Mutual, LLC (applicant/representative)
Marketplace TTT Investors – Redwood Shores address (cited landowner)
Calvin Phan, Market Place TTT Inv. – Fremont (Assessor roll listed landowner)
S & D Carwash Management, LLC – Carmichael (fee-payer)
Phillip Fomotor, Fomotor Engineering
Mr. Thomas Nolan, Executive Director, Palm Springs International Airport
ALUC Case File

Y:\AIRPORT CASE FILES\Palm Springs\ZAP1065PS18\ZAP1065PS18.LTR.doc



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2018-AWP-11831-OE

Issued Date: 07/30/2018

Michael Clark
 Identity Mutual, LLC
 2980 E Northern Ave STE A
 Phoenix, AZ 85028

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Quick Quack Car Wash
 Location: Palm Springs, CA
 Latitude: 33-50-39.66N NAD 83
 Longitude: 116-31-28.45W
 Heights: 499 feet site elevation (SE)
 28 feet above ground level (AGL)
 527 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 01/30/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6558, or ladonna.james@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AWP-11831-OE.

Signature Control No: 369472492-371539470

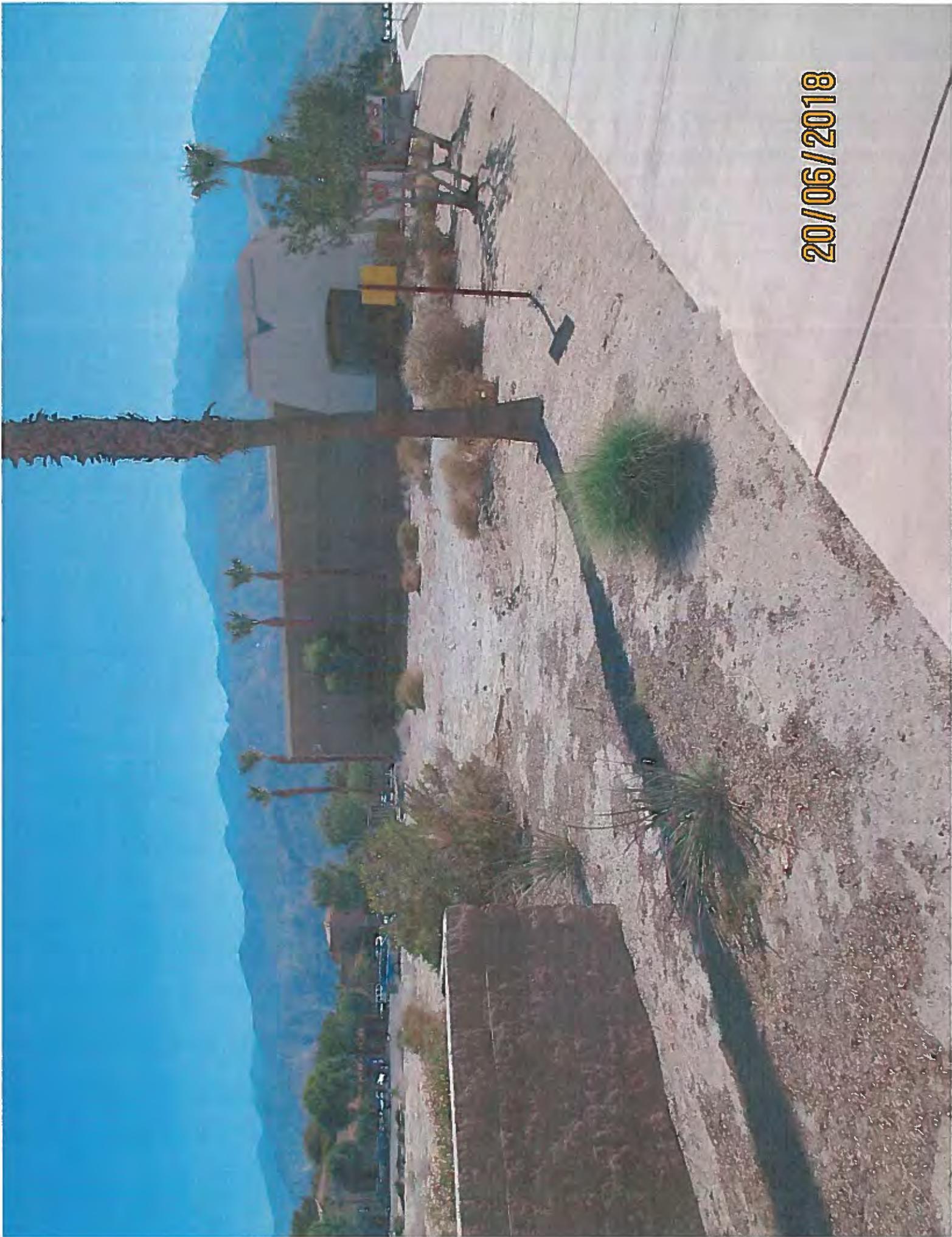
LaDonna James
Technician

(DNE)

Attachment(s)
Map(s)



20/06/2018



20/06/2018



S-1, P-1

Sherwin Williams
SW 6034 'Arresting Auburn'



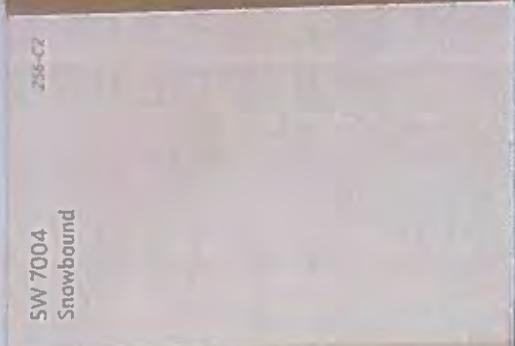
S-2, P-2

Sherwin Williams
SW 6374 'Torchlight'



S-3, P-3

Sherwin Williams
SW 6120 'Believable Buff'



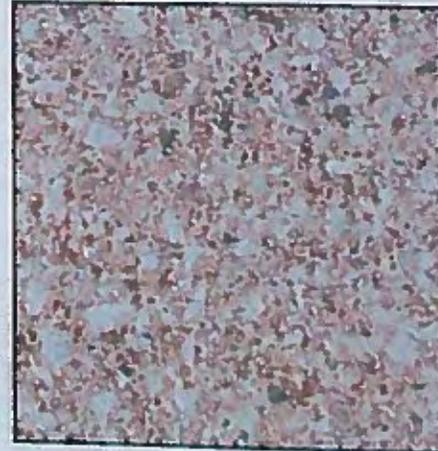
S-4

Sherwin Williams
SW 7004 'Snowbound'



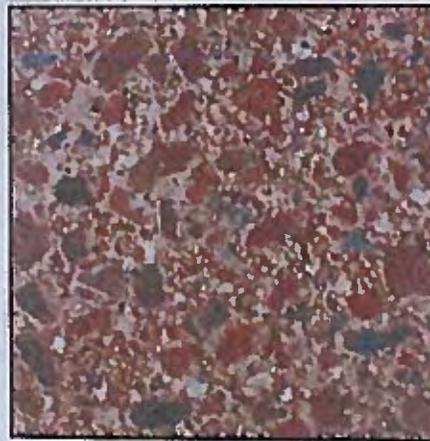
S-5, P-5

Sherwin Williams
SW 6123 'Baguette'



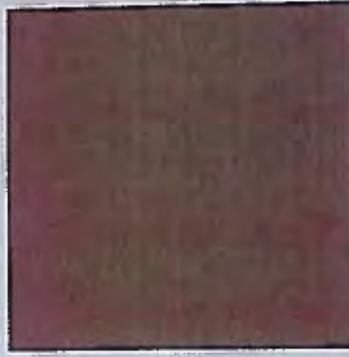
CMU-1

Superlite / 'Southwest Gold'
Integral Color



CMU-2

Superlite / 'Desert Yellow'
Integral Color



M-1

Firestone / Una-dlad
'Brandywine'

RECEIVED

MAY 15 2018

PLANNING SERVICES
DEPARTMENT

5.1445/3.4094

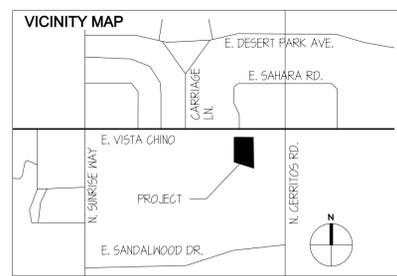
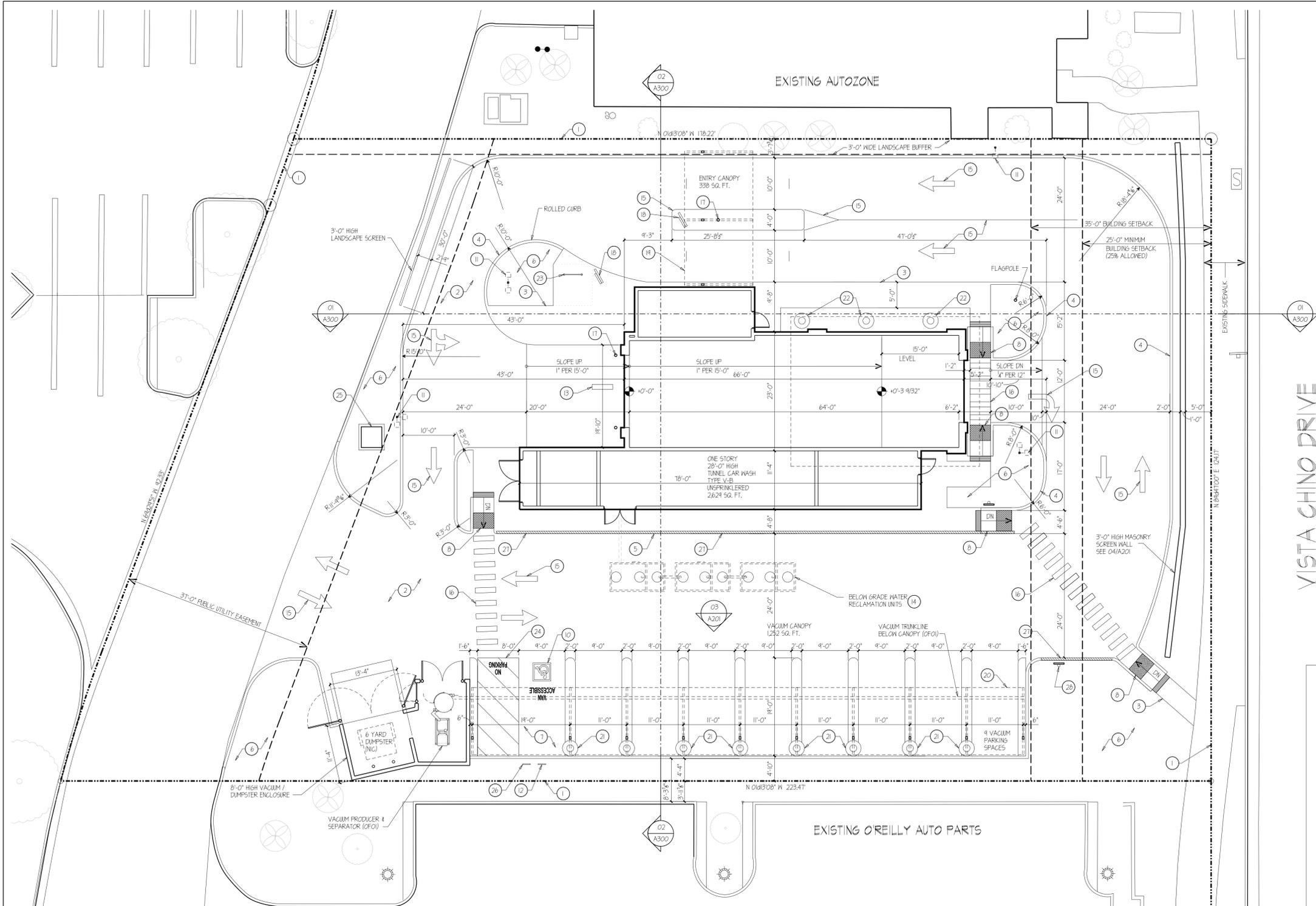
adw 25/06/2018

environmentsforlife

Quick Quack Car Wash

Vista Chino Dr.
Palm Springs, CA 92262

08-03-18



- SHEET NOTES**
- PROPERTY LINE
 - CONCRETE PAVING
 - CONCRETE WALKWAY
 - CONCRETE CURB
 - CONCRETE WALKWAY WITH TURNDOWN CURB
 - PLANTER AREA
 - ACCESSIBLE STALL AND ACCESSIBLE AISLE
 - ACCESSIBLE RAMP
 - ACCESSIBLE PARKING SIGN
 - ACCESSIBLE PARKING SPACE SURFACE IDENTIFICATION
 - NEW SITE LIGHT POLE
 - VAN ACCESSIBLE PARKING SIGN- 60" MIN. ABOVE PAVED SURFACE. SEE CIVIL DRAWINGS
 - 12" WIDE x 48" LONG WHITE PAINT STRIPING LEADING TO CORRELATOR
 - UNDERGROUND RECLAIM WATER TANKS- SEE PLUMBING DRAWINGS
 - PROVIDE LANE DIVIDERS AND DIRECTIONAL ARROWS AT ALL ENTRANCES
 - YELLOW PAINT STRIPING
 - PAINTED BOLLARD
 - MENU BOARD (OFOI)
 - PAY STATION CANOPY
 - VACUUM SHADE CANOPY
 - TRASH / HOSE HOLDER (O.F.G.I.)
 - DECORATIVE SPHERE (O.F.G.I.)
 - BIKE RACK- (3) LOOPS- 43" L x 2 1/2" W x 34" H (5 BICYCLE CAPACITY)
 - BLUE PAINT BORDER STRIPING
 - TRANSFORMER- SEE ELECTRICAL DRAWINGS
 - UNAUTHORIZED VEHICLE TOWING SIGNAGE PER CBC 11B-502.8 SEE 05-A001A NOTE 6
 - "NO PARKING-FIRE LANE" SIGNS AND/OR RED PAINTED CURBS SHALL BE INSTALLED AS PER CDDPD GUIDELINES. ALL RAISED CURBS IN "NO PARKING-FIRE LANE" AREAS SHALL BE PAINTED RED WITH ACCEPTABLE RED CURB PAINT. PROVIDE 6" WIDE RED STRIPE ON PAVEMENT AT LOCATIONS WITH NO CURBING. LETTERING SHALL BE 3" HIGH WHITE AND HAVE 3/4" STRIKE. MARKINGS SHALL BE LOCATED EVERY 50 FEET. CURVED PAY STATION CANOPY (BY GC)
 - "NO PARKING" SIGNAGE FOR FIRE LANE

VISTA CHINO DRIVE

PROJECT DATA PARCEL: 507-301-018

PROJECT DESCRIPTION: ONE STORY TUNNEL CAR WASH WITH TWO ENTRY LANES, VACUUMS PARKING, MASONRY DUMPSTER AND VACUUM ENCLOSURES

SITE ACREAGE: GROSS: 24,824 SQ. FT. (0.51 ACRE)

GROSS BUILDING AREA TO GROSS SITE AREA: 10.51%

ZONING: CSC - COMMUNITY SHOPPING CENTER ZONE

BUILDING AREA: 2,624 SQUARE FEET (GROSS)

CANOPY AREA: VACUUM PARKING: 1,252 SQ. FT.
ENTRY LANE: 338 SQ. FT.
TOTAL: 1,590 SQ. FT.

BUILDING HEIGHT: 21'-0"

TUNNEL DIMENSIONS: 23'-0" x 80'-0" (EXTERIOR)

PARKING SPACES: REQUIRED: (4) SPACES AND STACKING PARKING EQUAL TO (5) TIMES THE CAPACITY OF THE CAR WASH (43.06,00,0.0)

PROPOSED: 9 VACUUM PARKING SPACES (INCLUDING ONE ACCESSIBLE), 4 STACKING SPACES
NOTE: (2) STAFF WORKING AT ALL TIMES.
TUNNEL CAPACITY: 2 VEHICLES AT ANY POINT IN TIME

PROPERTY OWNER: MARKETPLACE PARTNERS
1500 BUCKEYE DRIVE, MILPITAS, CA 95035-1418

APPLICANT: IDENTITY MUTUAL LLC, AS AGENT FOR QUICK QUACK DEVELOPMENT, LLC
2480 E. NORTHERN AVENUE, SUITE A PHOENIX, AZ 85028
CONTACT: MICHAEL CLARK
PHONE: (602) 711-6711, FAX: 602-667-6612, E-MAIL: mclark@identitymutualdevco.com

DESIGN PROFESSIONAL: ADW ARCHITECTS, PA
SIX COLISEUM CENTRE, 2815 COLISEUM CENTRE DRIVE
CHARLOTTE, NC 28211
CONTACT: ROBERT J. LAUER, JR. / MANAGING PRINCIPAL
PHONE: 704-379-1919, FAX: 379-1920, E-MAIL: blaue@adwarchitects.com

QQ # 3-006

| | |
|-------------------------|-----------------------------------|
| SITE AREA | GROSS: 24,824 SQ. FT. (0.51 ACRE) |
| ADA PARKING | (1 - 9'-0" X 18'-0") |
| PARKING STALLS | 0 |
| VACUUM STALLS | 9 - 11'-0" X 18'-0" |
| VACUUM PRODUCERS: | 1 HP EACH |
| STACKING LANES | 2 WIDTH EACH: 10'-0" |
| BUILDING AREA | 2,624 SQ. FT. |
| TUNNEL (EXTERIOR): | 23'-0" (WIDTH) x 66'-0" (LENGTH) |
| CONVEYOR TRENCH LENGTH: | - |
| CONVEYOR LENGTH: | - |
| CONVEYOR TYPE: | FRONT WHEEL PULL |

QQCW APPROVAL

SIGNATURE: _____

APPROVAL DATE: _____



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environments or life
architecture planning interiors

six coliseum centre
2815 coliseum centre drive, suite 500
charlotte, north carolina 28217
t) 704 379 1919
f) 704 379 1920
www.adwarchitects.com

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA CHINO DR.
Palm Springs, CA 92262

SITE PLAN

DATE: 07.20.2018
PROJECT NO: 15076

REVISIONS
NO DATE DESCRIPTION:

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NEW FACILITY FOR

Quick Quack Car Wash

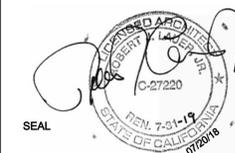
1717 E. VISTA CHINO DR.
 Palm Springs, CA 92262

FLOOR PLAN

DATE 07.20.2018
 PROJECT NO 15076

REVISIONS
 NO DATE DESCRIPTION:

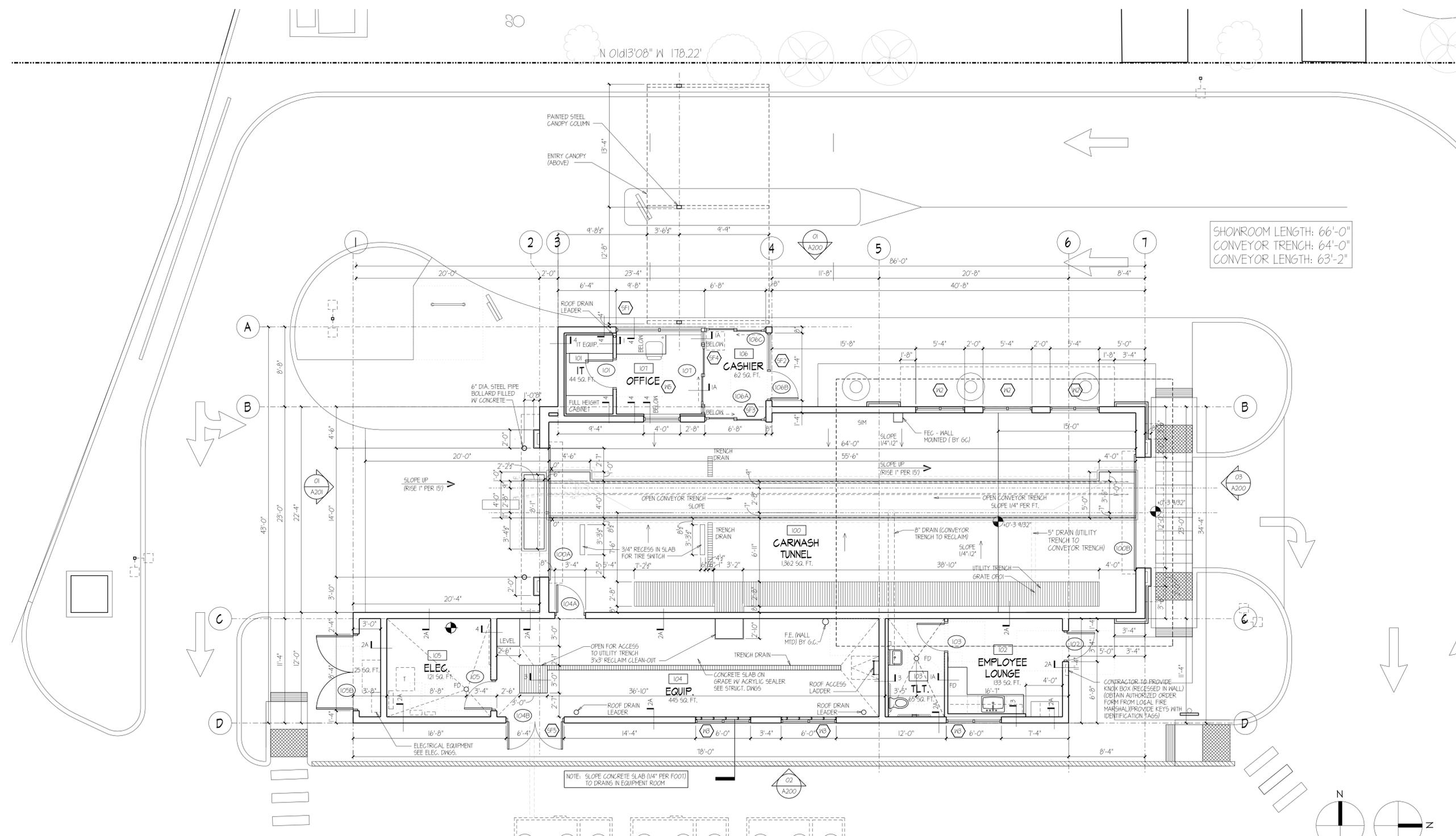
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SEAL

A100

SHEET NUMBER

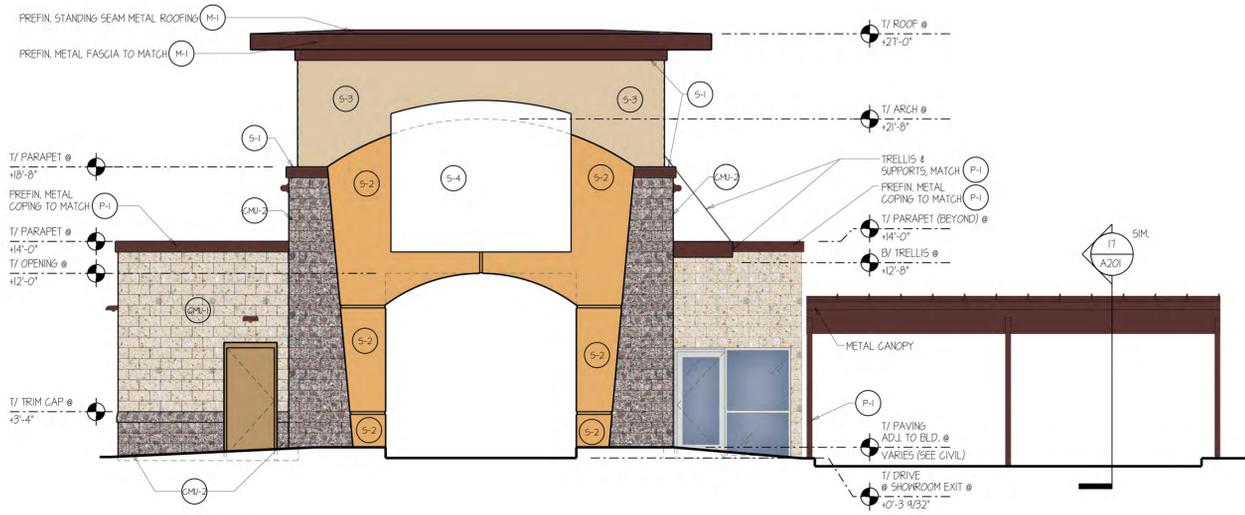


SHOWROOM LENGTH: 66'-0"
 CONVEYOR TRENCH: 64'-0"
 CONVEYOR LENGTH: 63'-2"

FLOOR PLAN SCALE: 3/16" = 1'-0" 01

| EXTERIOR FINISH SCHEDULE | | |
|--------------------------|-----------------------|--|
| LABEL | MATERIAL | COLOR / MANUFACTURER |
| CMU-1 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "SOUTHWEST GOLD" INTEGRAL COLOR GROUT BY ARGOS "BRUNSWICK" |
| CMU-2 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "DESERT YELLOW" INTEGRAL COLOR GROUT BY ARGOS "MAGNOLIA BUFF" |
| S-1 | STUCCO | MATCH SW 6034 "ARRESTING AUBURN" |
| S-2 | STUCCO | MATCH SW 6314 "TORCHLIGHT" |
| S-3 | STUCCO | MATCH SW 6120 "BELIEVABLE BUFF" |
| S-4 | STUCCO | MATCH SW 1004 "SMOKEBOUND" (WHITE) |
| S-5 | STUCCO | MATCH SW 6123 "BAGUETTE" |
| P-1 | PAINT | SW 6034 "ARRESTING AUBURN" |
| P-2 | PAINT | SW 6314 "TORCHLIGHT" |
| P-3 | PAINT | SW 6120 "BELIEVABLE BUFF" |
| P-5 | PAINT | SW 6123 "BAGUETTE" |
| M-1 | STANDING SEAM ROOFING | MATCH FIRESTONE "BRANDYWINE" |
| SP-1 | SPANDREL GLASS | BLACK |

NOTE: PROVIDE SEALER TO INTEGRAL COLOR CMU - HYDROZO CLEAR DOUBLE T VOC
 NOTE: CONTACT MORONI MEJIA
 (823-435-0992) OR moronimejia@oldcastle.com
 FOR NATIONAL ACCOUNT PRICING
 NOTE: CONTRACTOR TO SUBMIT GROUT SAMPLES FOR ARCHITECTS SELECTION
 IF ALTERNATE BLOCK IS USED
 NOTE: PREFINISHED METAL ROOFING BASIS OF DESIGN: FIRESTONE "BRANDYWINE"
 UNA-GLAD UC3 - LOCK SEAM STYLE, 1 1/2" RIB
 RADIUS & STRAIGHT DRIP EDGES
 FLAT HEAD SELF TAPPING SCREWS (NO HEX HEADS)
 NOTE: ALL PAINTED METAL FINISHES TO MATCH SW "ARRESTING AUBURN" AS SCHEDULED



EXT. FINISH SCHEDULE

SCALE: 12

NORTH ELEVATION

SCALE: 3/16" = 1'-0" 03



EAST ELEVATION

SCALE: 3/16" = 1'-0" 02



WEST ELEVATION

SCALE: 3/16" = 1'-0" 01

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA CHINO DR.
 Palm Springs, CA 92262

EXTERIOR ELEVATIONS

DATE 07.20.2018

PROJECT NO 15076

REVISIONS
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SEAL

A200

SHEET NUMBER

| EXTERIOR FINISH SCHEDULE | | |
|--------------------------|-----------------------|--|
| LABEL | MATERIAL | COLOR / MANUFACTURER |
| CMJ-1 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "SOUTHWEST GOLD" INTEGRAL COLOR GROUT BY ARGOS "BRUNSWICK" |
| CMJ-2 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "DESERT YELLOW" INTEGRAL COLOR GROUT BY ARGOS "MAGNOLIA BUFF" |
| S-1 | STUCCO | MATCH SW 6034 "ARRESTING AUBURN" |
| S-2 | STUCCO | MATCH SW 6034 "TORCHLIGHT" |
| S-3 | STUCCO | MATCH SW 6020 "BELIEVABLE BUFF" |
| S-4 | STUCCO | MATCH SW 1004 "SMOKEBOUND" (WHITE) |
| S-5 | STUCCO | MATCH SW 6023 "BAGUETTE" |
| P-1 | PAINT | SW 6034 "ARRESTING AUBURN" |
| P-2 | PAINT | SW 6034 "TORCHLIGHT" |
| P-3 | PAINT | SW 6020 "BELIEVABLE BUFF" |
| P-5 | PAINT | SW 6023 "BAGUETTE" |
| M-1 | STANDING SEAM ROOFING | MATCH FIRESTONE "BRANDYWINE" |
| SP-1 | SPANDREL GLASS | BLACK |

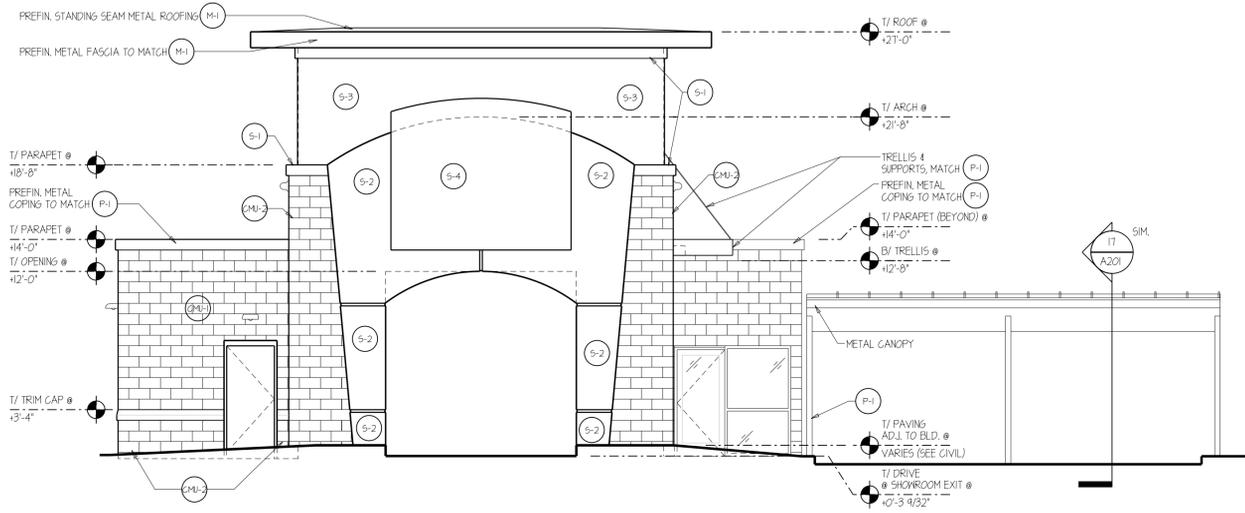
NOTE: PROVIDE SEALER TO INTEGRAL COLOR CMU - HYDROZO CLEAR DOUBLE T VOC

NOTE: CONTACT MORONI MEJIA
(823-435-0992) OR moronimejia@oldcastle.com
FOR NATIONAL ACCOUNT PRICING

NOTE: CONTRACTOR TO SUBMIT GROUT SAMPLES FOR ARCHITECTS SELECTION
IF ALTERNATE BLOCK IS USED

NOTE: PREFINISHED METAL ROOFING BASIS OF DESIGN: FIRESTONE "BRANDYWINE"
UNA-GLAD UC3 - LOCK SEAM STYLE, 1 1/2" RIB
RADIUS & STRAIGHT DRIP EDGES
FLAT HEAD SELF TAPPING SCREWS (NO HEX HEADS)

NOTE: ALL PAINTED METAL FINISHES TO MATCH SW "ARRESTING AUBURN" AS SCHEDULED

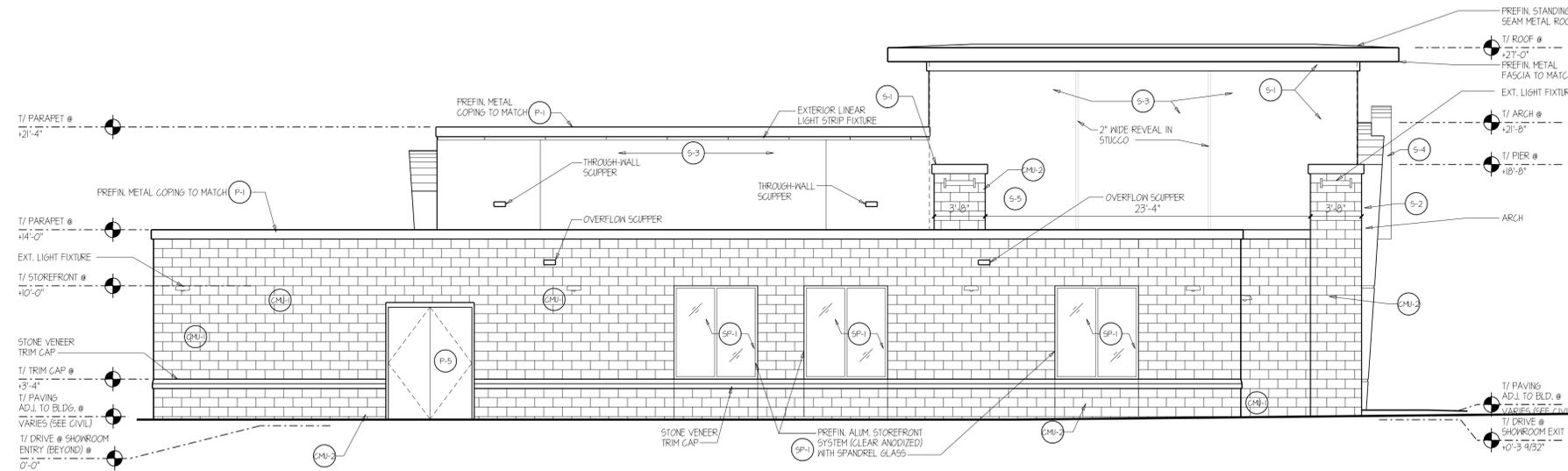


EXT. FINISH SCHEDULE

SCALE: 12

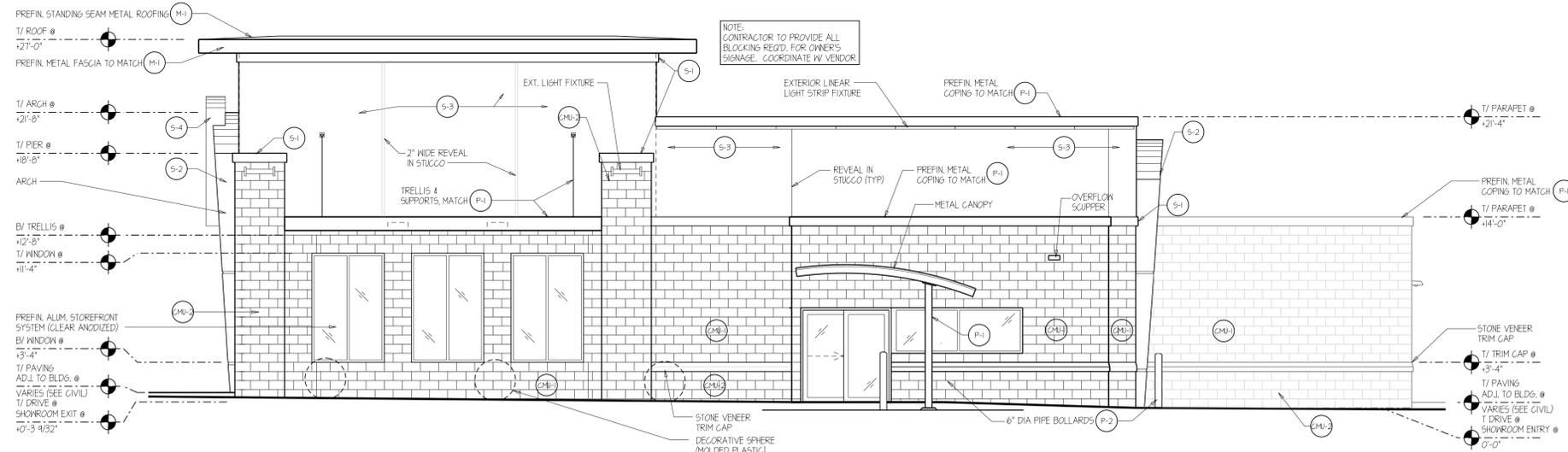
NORTH ELEVATION

SCALE: 3/16" = 1'-0" 03



EAST ELEVATION

SCALE: 3/16" = 1'-0" 02



WEST ELEVATION

SCALE: 3/16" = 1'-0" 01

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2815 coliseum centre drive, suite 500
charlotte, north carolina 28217
t) 704 379 1919
f) 704 379 1920
www.adwarchitects.com

NEW FACILITY FOR

**Quick
Quack
Car Wash**

1717 E. VISTA
CHINO DR.
Palm Springs, CA
92262

EXTERIOR
ELEVATIONS

DATE 07.20.2018

PROJECT NO 15076

REVISIONS
NO DATE DESCRIPTION:

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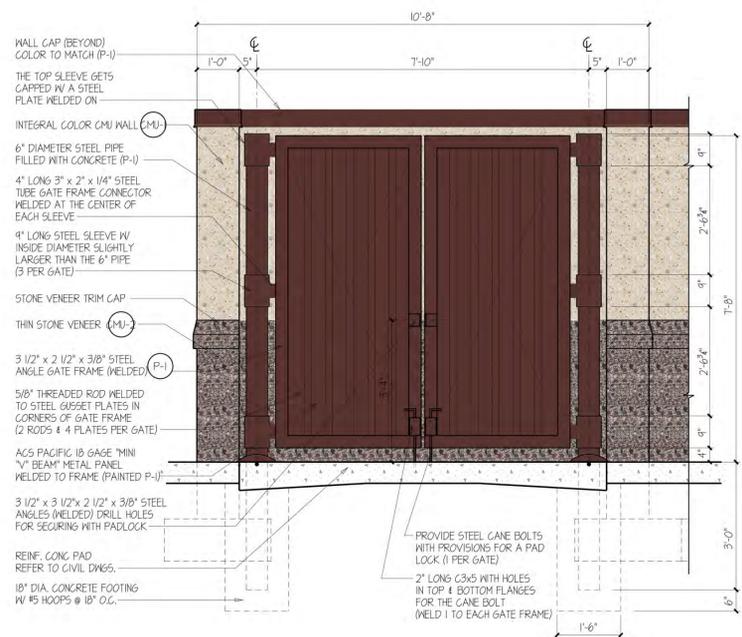


A200

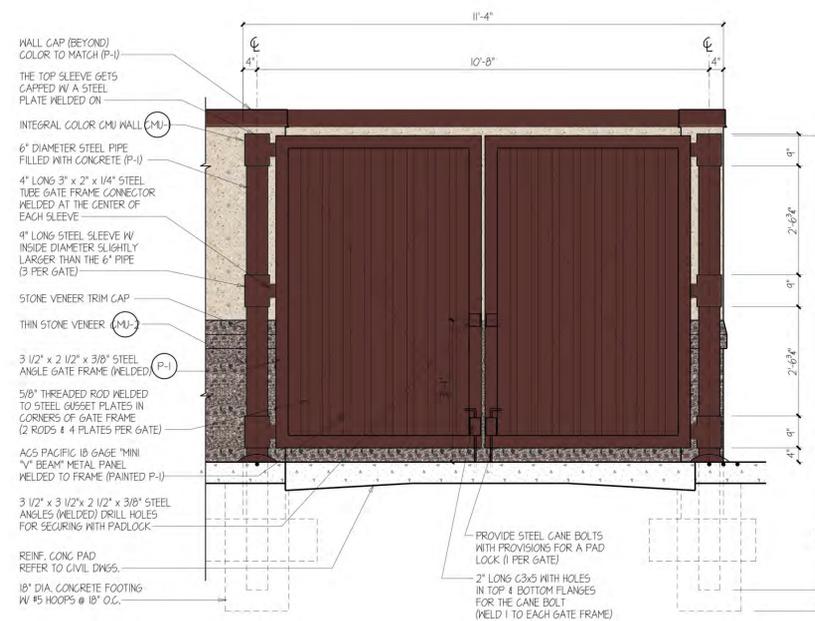
SHEET NUMBER

| EXTERIOR FINISH SCHEDULE | | |
|--------------------------|-----------------------|--|
| LABEL | MATERIAL | COLOR / MANUFACTURER |
| CMU-1 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "SOUTHWEST GOLD" INTEGRAL COLOR GROUT BY ARGOS "BRONXICK" |
| CMU-2 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "DESERT YELLOW" INTEGRAL COLOR GROUT BY ARGOS "MAGNOLIA BUFF" |
| S-1 | STUCCO | MATCH SW 6034 "ARRESTING AUBURN" |
| S-2 | STUCCO | MATCH SW 6314 "CORCHLIGHT" |
| S-3 | STUCCO | MATCH SW 6120 "BELIEVABLE BUFF" |
| S-4 | STUCCO | MATCH SW 7004 "SNOWBOUND" (WHITE) |
| S-5 | STUCCO | MATCH SW 6123 "BAGUETTE" |
| P-1 | PAINT | SW 6034 "ARRESTING AUBURN" |
| P-2 | PAINT | SW 6314 "CORCHLIGHT" |
| P-3 | PAINT | SW 6120 "BELIEVABLE BUFF" |
| P-5 | PAINT | SW 6123 "BAGUETTE" |
| M-1 | STANDING SEAM ROOFING | MATCH FIRESTONE "BRANDYWINE" |
| SP-1 | SPANDREL GLASS | BLACK |

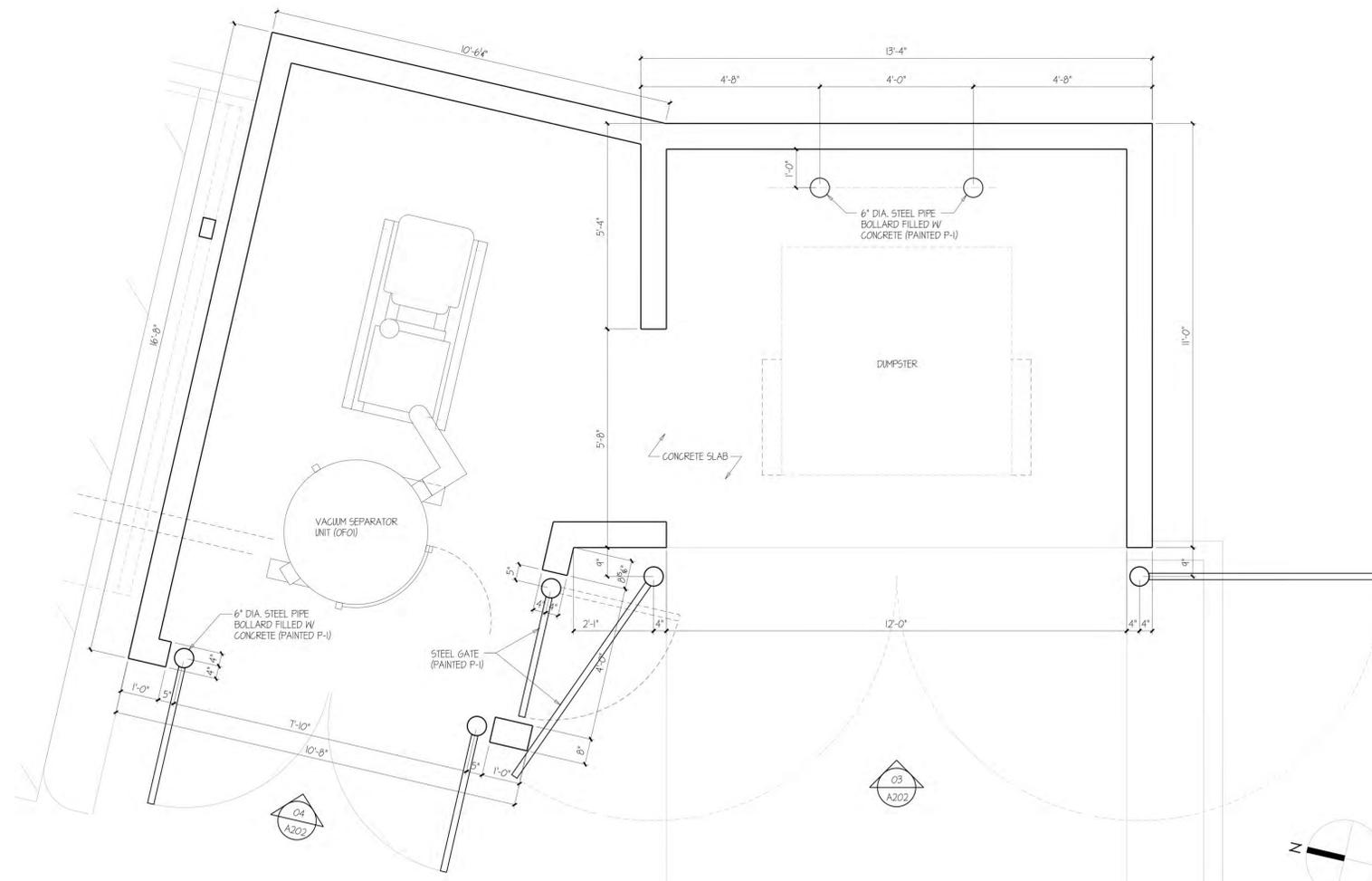
EXT. FINISH SCHEDULE SCALE: 05



ENCLOSURE PARTIAL ELEVATION SCALE: 1/2"=1'-0" 04



ENCLOSURE PARTIAL ELEVATION SCALE: 1/2"=1'-0" 03



NOT USED SCALE: 02

VACUUM - DUMPSTER ENCLOSURE PLAN SCALE: 1/2"=1'-0" 01

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA CHINO DR.
Palm Springs, CA 92262

DUMPSTER ENCLOSURE

DATE 07.20.2018
PROJECT NO 15076

REVISIONS
NO DATE DESCRIPTION:

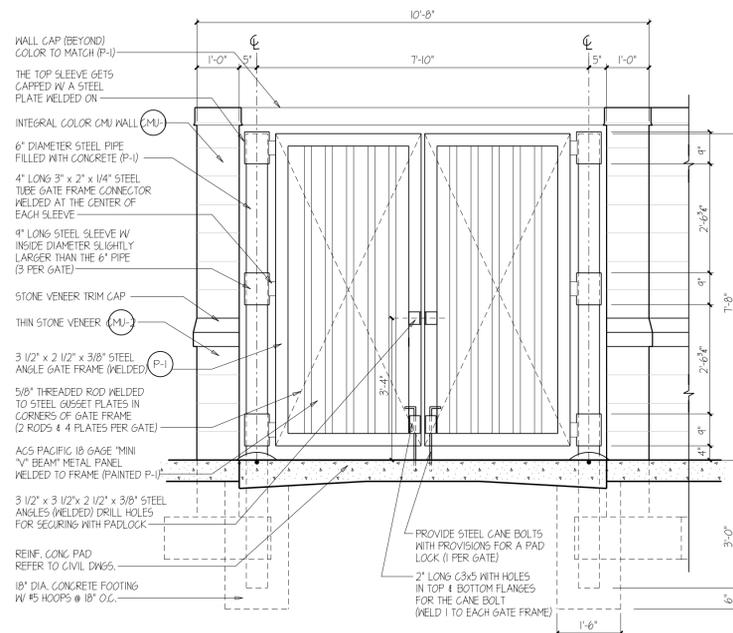
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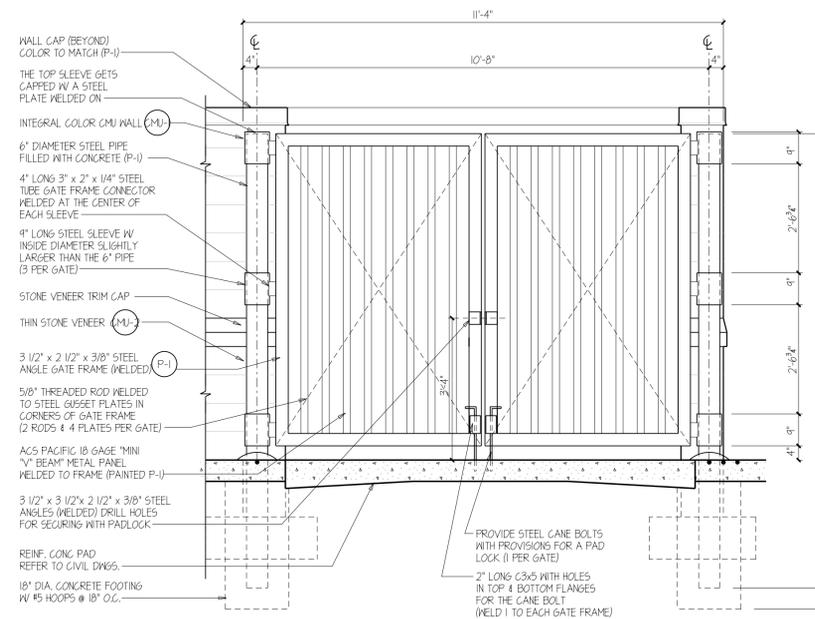
SHEET NUMBER **A202**

| EXTERIOR FINISH SCHEDULE | | |
|--------------------------|-----------------------|--|
| LABEL | MATERIAL | COLOR / MANUFACTURER |
| CMU-1 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "SOUTHWEST GOLD" INTEGRAL COLOR GROUT BY ARGOS "BRONZINK" |
| CMU-2 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "DESERT YELLOW" INTEGRAL COLOR GROUT BY ARGOS "MAGNOLIA BUFF" |
| S-1 | STUCCO | MATCH SW 6034 "ARRESTING AUBURN" |
| S-2 | STUCCO | MATCH SW 6314 "CORCHLIGHT" |
| S-3 | STUCCO | MATCH SW 6120 "BELIEVABLE BUFF" |
| S-4 | STUCCO | MATCH SW 7004 "SNOWBOUND" (WHITE) |
| S-5 | STUCCO | MATCH SW 6123 "BAGUETTE" |
| P-1 | PAINT | SW 6034 "ARRESTING AUBURN" |
| P-2 | PAINT | SW 6314 "CORCHLIGHT" |
| P-3 | PAINT | SW 6120 "BELIEVABLE BUFF" |
| P-5 | PAINT | SW 6123 "BAGUETTE" |
| M-1 | STANDING SEAM ROOFING | MATCH FIRESTONE "BRANDYWINE" |
| SP-1 | SPANDREL GLASS | BLACK |

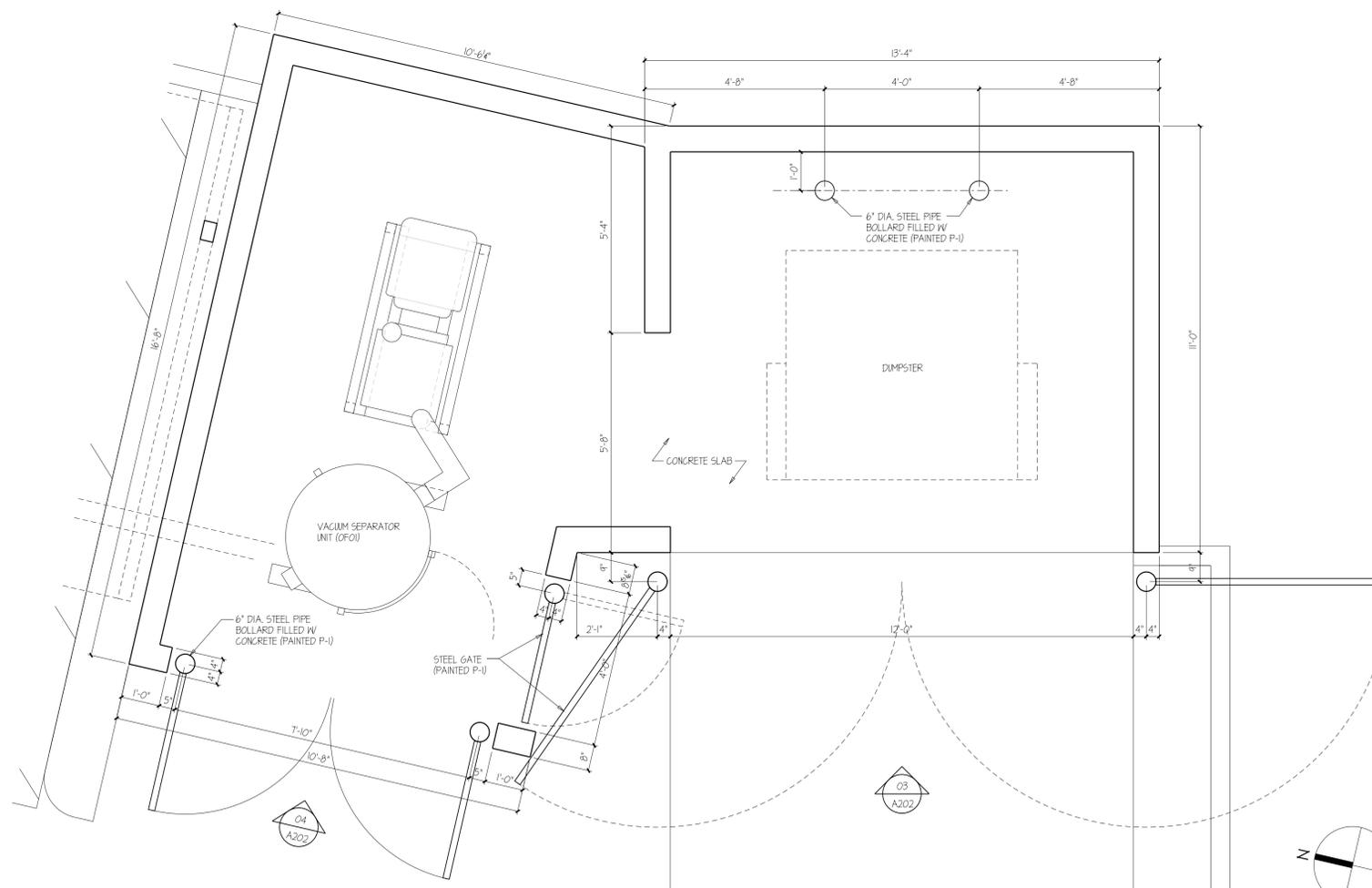
EXT. FINISH SCHEDULE SCALE: 05



ENCLOSURE PARTIAL ELEVATION SCALE: 1/2"=1'-0" 04



ENCLOSURE PARTIAL ELEVATION SCALE: 1/2"=1'-0" 03



VACUUM - DUMPSTER ENCLOSURE PLAN SCALE: 1/2"=1'-0" 01

NOT USED SCALE: 02

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA CHINO DR. Palm Springs, CA 92262

DUMPSTER ENCLOSURE

DATE 07.20.2018 PROJECT NO 15076

REVISIONS NO DATE DESCRIPTION:

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SEAL

A202

SHEET NUMBER

| EXTERIOR FINISH SCHEDULE | | |
|--------------------------|-----------------------|--|
| LABEL | MATERIAL | COLOR / MANUFACTURER |
| CMU-1 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "SOUTHWEST GOLD" INTEGRAL COLOR GROUT BY ARGOS "BRUNSWICK" |
| CMU-2 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "DESERT YELLOW" INTEGRAL COLOR GROUT BY ARGOS "MAGNOLIA BUFF" |
| S-1 | STUCCO | MATCH SH 6034 "ARRESTING AUBURN" |
| S-2 | STUCCO | MATCH SH 6374 "TORCHLIGHT" |
| S-3 | STUCCO | MATCH SH 6120 "BELIEVABLE BUFF" |
| S-4 | STUCCO | MATCH SH 1004 "SNOWBOUND" (WHITE) |
| S-5 | STUCCO | MATCH SH 6123 "BAGUETTE" |
| P-1 | PAINT | SH 6034 "ARRESTING AUBURN" |
| P-2 | PAINT | SH 6374 "TORCHLIGHT" |
| P-3 | PAINT | SH 6120 "BELIEVABLE BUFF" |
| P-5 | PAINT | SH 6123 "BAGUETTE" |
| M-1 | STANDING SEAM ROOFING | MATCH FIRESTONE "BRANDYWINE" |
| SP-1 | SPANDREL GLASS | BLACK |

EXT. FINISH SCHEDULE

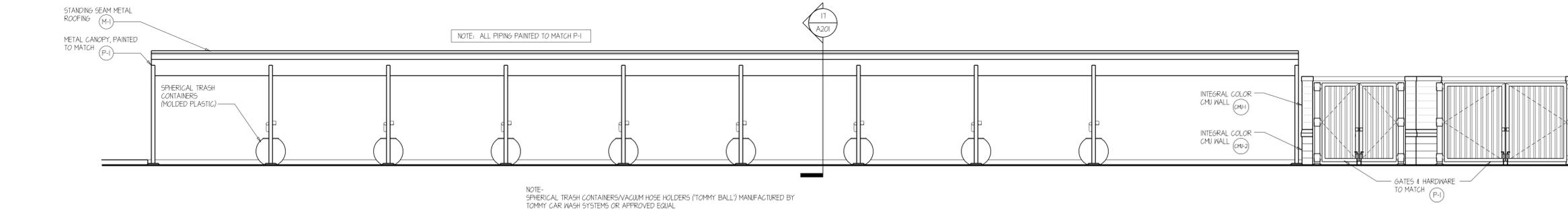
SCALE: 06

NOT USED

SCALE: 05

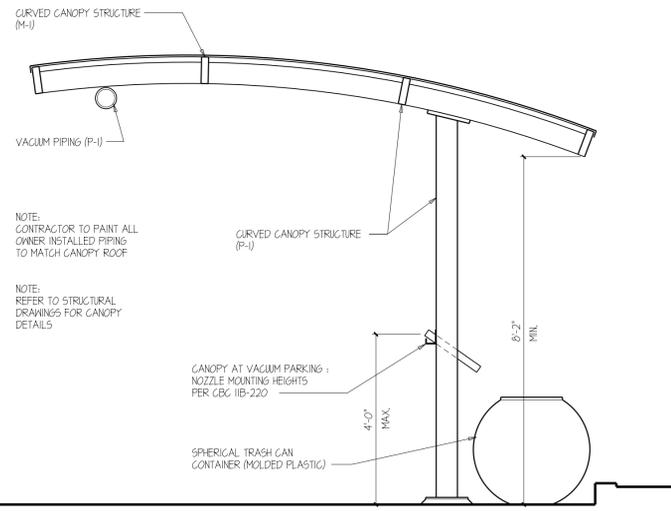
SCREEN WALL DETAIL

SCALE: 1"=1'-0" 04



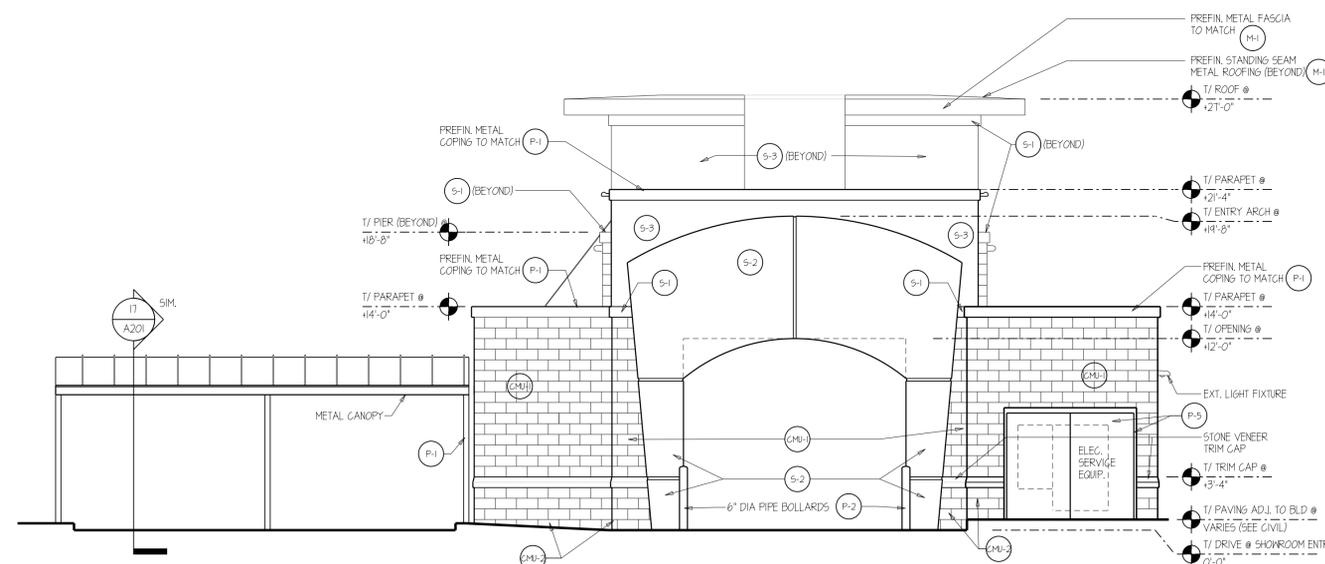
WEST ELEVATION- EASTERN VACUUM CANOPY

SCALE: 3/16"=1'-0" 03



CANOPY SECTION

SCALE: 1/2"=1'-0" 17



SOUTH ELEVATION

SCALE: 3/16"=1'-0" 01

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA CHINO DR.
Palm Springs, CA 92262

EXTERIOR ELEVATIONS

DATE 07.20.2018
PROJECT NO 15076
REVISIONS
NO DATE DESCRIPTION:

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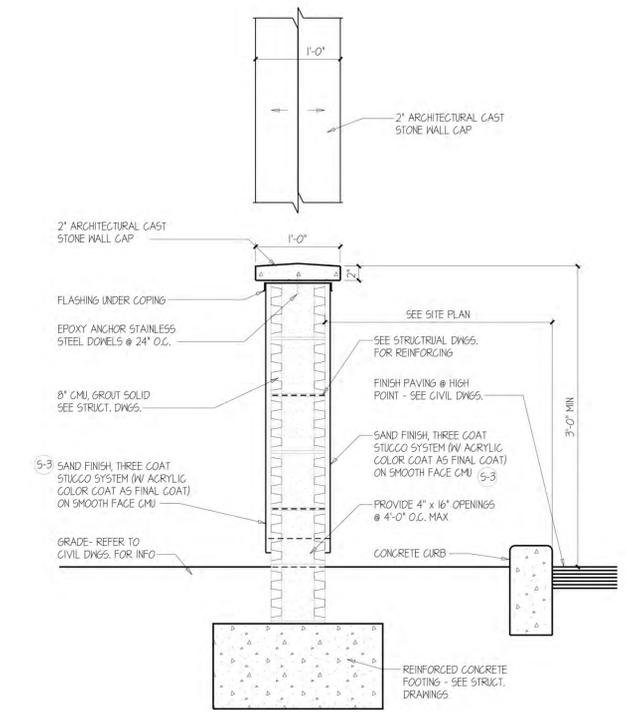


SEAL

A201

SHEET NUMBER

| EXTERIOR FINISH SCHEDULE | | |
|--------------------------|-----------------------|--|
| LABEL | MATERIAL | COLOR / MANUFACTURER |
| CMU-1 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "SOUTHWEST GOLD" INTEGRAL COLOR GROUT BY ARGOS "BRUNSWICK" |
| CMU-2 | SPLIT FACE CMU | SUPERLITE / OLDCASTLE, "DESERT YELLOW" INTEGRAL COLOR GROUT BY ARGOS "MAGNOLIA BUFF" |
| S-1 | STUCCO | MATCH SN 6034 "ARRESTING AUBURN" |
| S-2 | STUCCO | MATCH SN 6374 "TORCHLIGHT" |
| S-3 | STUCCO | MATCH SN 6120 "BELIEVABLE BUFF" |
| S-4 | STUCCO | MATCH SN 1004 "SNOWBOUND" (WHITE) |
| S-5 | STUCCO | MATCH SN 6123 "BAGUETTE" |
| P-1 | PAINT | SN 6034 "ARRESTING AUBURN" |
| P-2 | PAINT | SN 6374 "TORCHLIGHT" |
| P-3 | PAINT | SN 6120 "BELIEVABLE BUFF" |
| P-5 | PAINT | SN 6123 "BAGUETTE" |
| M-1 | STANDING SEAM ROOFING | MATCH FIRESTONE "BRANDYWINE" |
| SP-1 | SPANDREL GLASS | BLACK |



EXT. FINISH SCHEDULE SCALE: 06

NOT USED SCALE: 05

SCREEN WALL DETAIL SCALE: 1"=1'-0" 04

adwarchitects
environments of life
architecture planning interiors
six coliseum centre
2815 coliseum centre drive, suite 500
charlotte, north carolina 28217
t) 704 379 1919
f) 704 379 1920
www.adwarchitects.com

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA CHINO DR.
Palm Springs, CA 92262

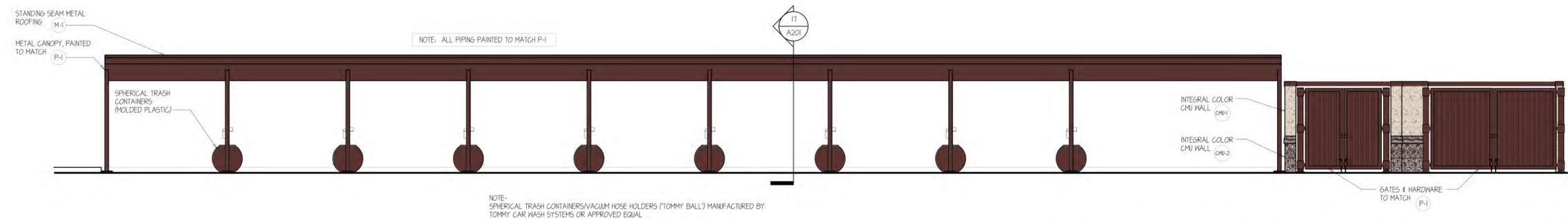
EXTERIOR ELEVATIONS

DATE 07.20.2018
PROJECT NO 15076
REVISIONS NO DATE DESCRIPTION:

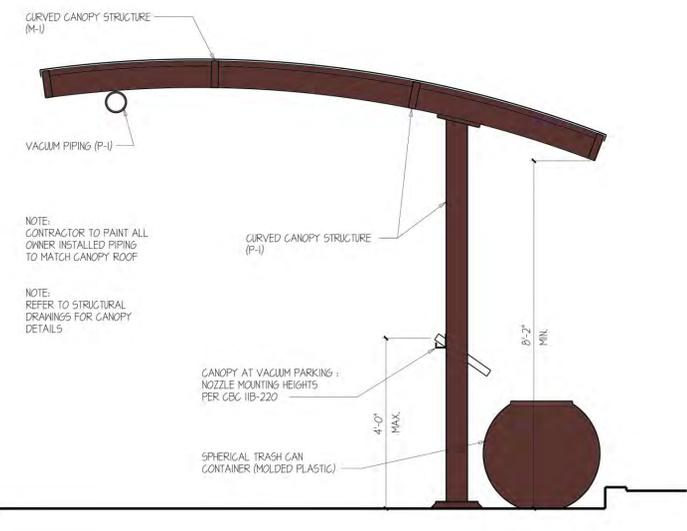
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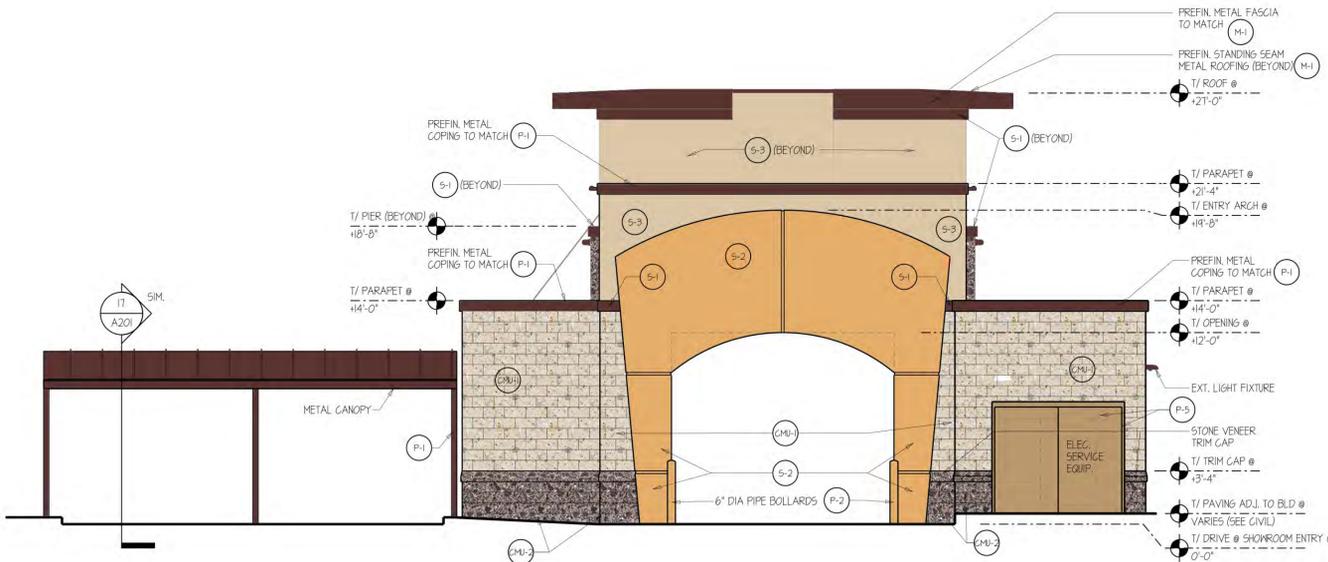
SHEET NUMBER **A201**



WEST ELEVATION- EASTERN VACUUM CANOPY SCALE: 3/16"=1'-0" 03



CANOPY SECTION SCALE: 1/2"=1'-0" 17



SOUTH ELEVATION SCALE: 3/16"=1'-0" 01

NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA
CHINO DR.
Palm Springs, CA
92262

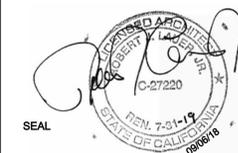
SIGHT LINE SECTIONS

DATE 09.06.2018

PROJECT NO 15076

REVISIONS
NO DATE DESCRIPTION:

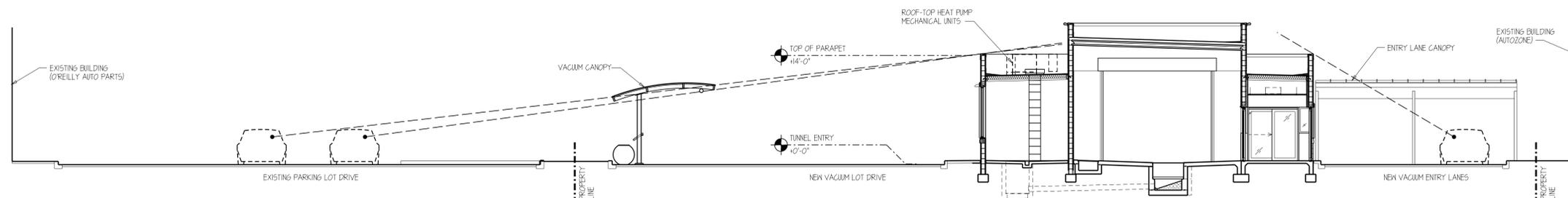
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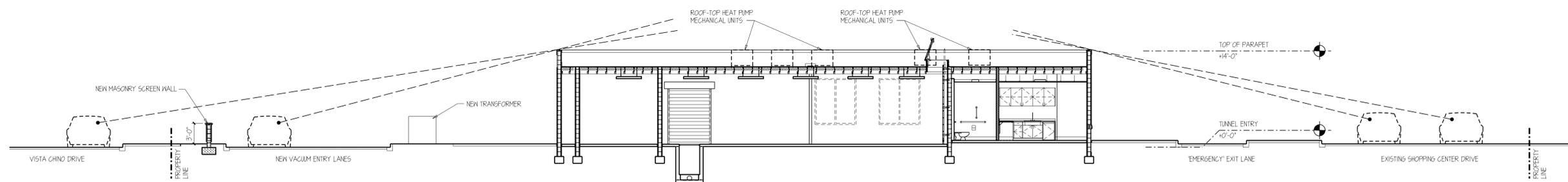
SEAL

A300

SHEET NUMBER



SIGHT LINE SECTION SCALE: 1/8"=1'-0" 02



SIGHT LINE SECTION SCALE: 1/8"=1'-0" 01



WASHINGTONIA HYBRID

CERCIDIUM 'DESERT MUSEUM'



BOUGAINVILLEA 'BARBARA KARST'



DURANTA 'SWEET MEMORY'



DASYLIRION WHEELERI



HESPERALOE PARVIFOLIA



CHAMAEROPS HUMILIS



CARISSA 'BOXWOOD BEAUTY'



CARISSA 'GREEN CARPET'



LANTANA 'NEW GOLD'



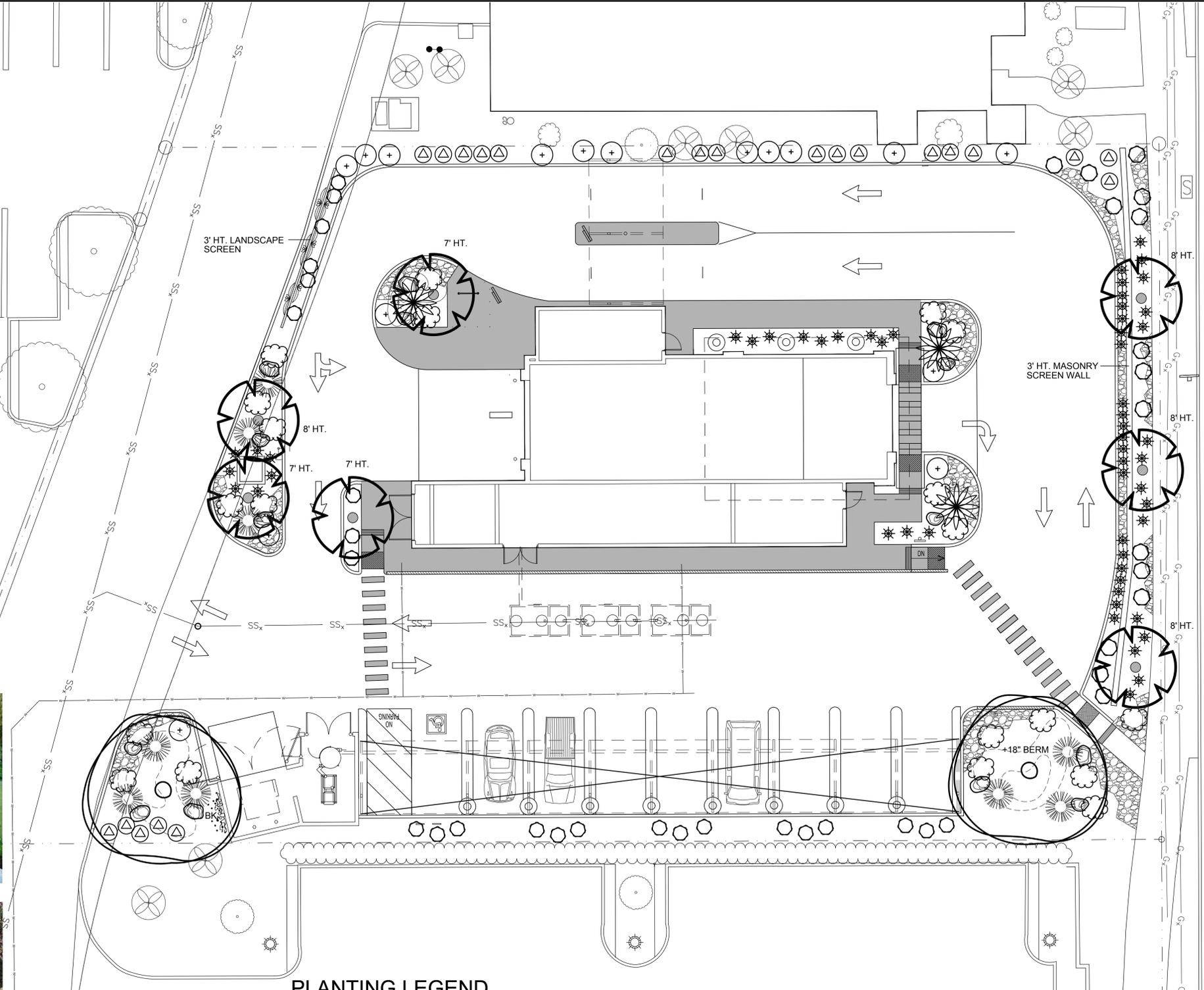
LITTLE OLLIE 'DWARF OLIVE'



COOPER CANYON FRACTURED GRANITE



COOPER CANYON BOULDERS



PLANTING LEGEND

| TREES AND PALMS | PLANTING SIZE | SCIENTIFIC NAME | COMMON NAME | WATER NEEDS | PLANT FACTOR | VINES | PLANTING SIZE | SCIENTIFIC NAME | COMMON NAME | WATER NEEDS | PLANT FACTOR |
|-----------------|-------------------|---------------------------|------------------------|-------------|--------------|-------|--|---|-------------|-------------|--------------|
| 2 | 24"-BOX Multi tr. | CERCIDIUM DESERT MUSEUM | HYBRID PALO VERDE | LOW | 0.2 | 1 | 5-GAL ESP. BOUGAINVILLEA 'BARBARA KARST' | BOUGAINVILLEA | MODERATE | 0.5 | |
| 3 | 24"-BOX Multi tr. | CHAMAEROPS HUMILIS | MEDITERRANEAN FAN PALM | MODERATE | 0.5 | 6 | 5-GAL ESP. DURANTA ERECTA | SWEET MEMORY | MODERATE | 0.5 | |
| 7 | 7'-8" HT. SKINNED | WASHINGTONIA HYBRID | HYBRID FAN PALM | MODERATE | 0.5 | 13 | 3'-6" 4'-0" DIA. COOPER CANYON BOULDERS | BY SOUTHWEST BOULDERS AND STONE | | | |
| 9 | 5-GAL | DASYLIRION WHEELERI | DESERT SPOON | LOW | 0.2 | 3 | 3" DEPTH 3/8" MOHAVE GOLD CRUSHED ROCK | IN ALL PLANTERS BY SOUTHWEST BOULDERS AND STONE | | | |
| 55 | 5-GAL | HESPERALOE PARVIFOLIA | RED YUCCA | LOW | 0.2 | | | | | | |
| 16 | 1/5-GAL | LANTANA 'NEW GOLD' | NEW GOLD LANTANA | MODERATE | 0.5 | | | | | | |
| 22 | 5-GAL | LITTLE OLLIE DWARF OLLIVE | DWARF OLLIVE | MODERATE | 0.5 | | | | | | |
| 39 | 5-GAL | CARISSA 'BOXWOOD BEAUTY' | BOXWOOD BEAUTY | MODERATE | 0.5 | | | | | | |
| 20 | 5-GAL | CARISSA 'GREEN CARPET' | GREEN CARPET | MODERATE | 0.5 | | | | | | |

SHADE REQUIREMENTS FOR PARKING AREAS

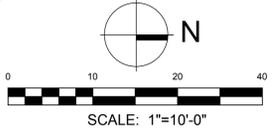
| | % of total |
|---|-------------|
| Total area of parking stalls | 1990 sq.ft. |
| Shade coverage by cart port (Shade calculated for 3:00 pm on Summer Solstice) | 1150 sq.ft. |
| Total percentage of parking stalls shaded | 58% |

Parking Spaces Required 5-24 spaces
Percentage of Total Parking Area to be shaded 30 % minimum

PLANTING NOTES

1. PLANT QUANTITIES INDICATED IN THE PLANT LIST ARE FOR CONTRACTOR'S CONVENIENCE ONLY. CONTRACTOR TO VERIFY PLANT QUANTITIES PER PLAN TO BID. CONTRACTOR TO PROVIDE AND INSTALL ALL PLANTS INDICATED PER PLAN.
2. ALL TREES WITHIN FIVE FEET OF PAVING SHALL BE INSTALLED WITH APPROVED DEEP ROOT BARRIER.
3. THE PROJECT WILL RECEIVE A DRIP IRRIGATION SYSTEM. EACH PLANT WILL RECEIVE AN EMITTER AND EACH TREE AND PALM TWO BUBBLERS.

NOTE:
ALL PALMS SHOULD BE PURCHASED FROM ONE OF THE COACHELLA VALLEY NURSERIES:
PRICE'S NURSERY for palms
80420 Avenue 52, La Quinta CA 92253 (760)328-0910
WD YOUNG NURSERY for Palms
81-910 Arus Avenue, Indio, CA 92201 (760) 347-7906



PLANTING PLAN

SCALE: 1"=10'-0"

| REVISION | DATE |
|----------|------|
| 06-15-18 | |
| 06-25-18 | |
| 07-16-18 | |
| 08-06-18 | |

SCALE: 1"=10'-0"

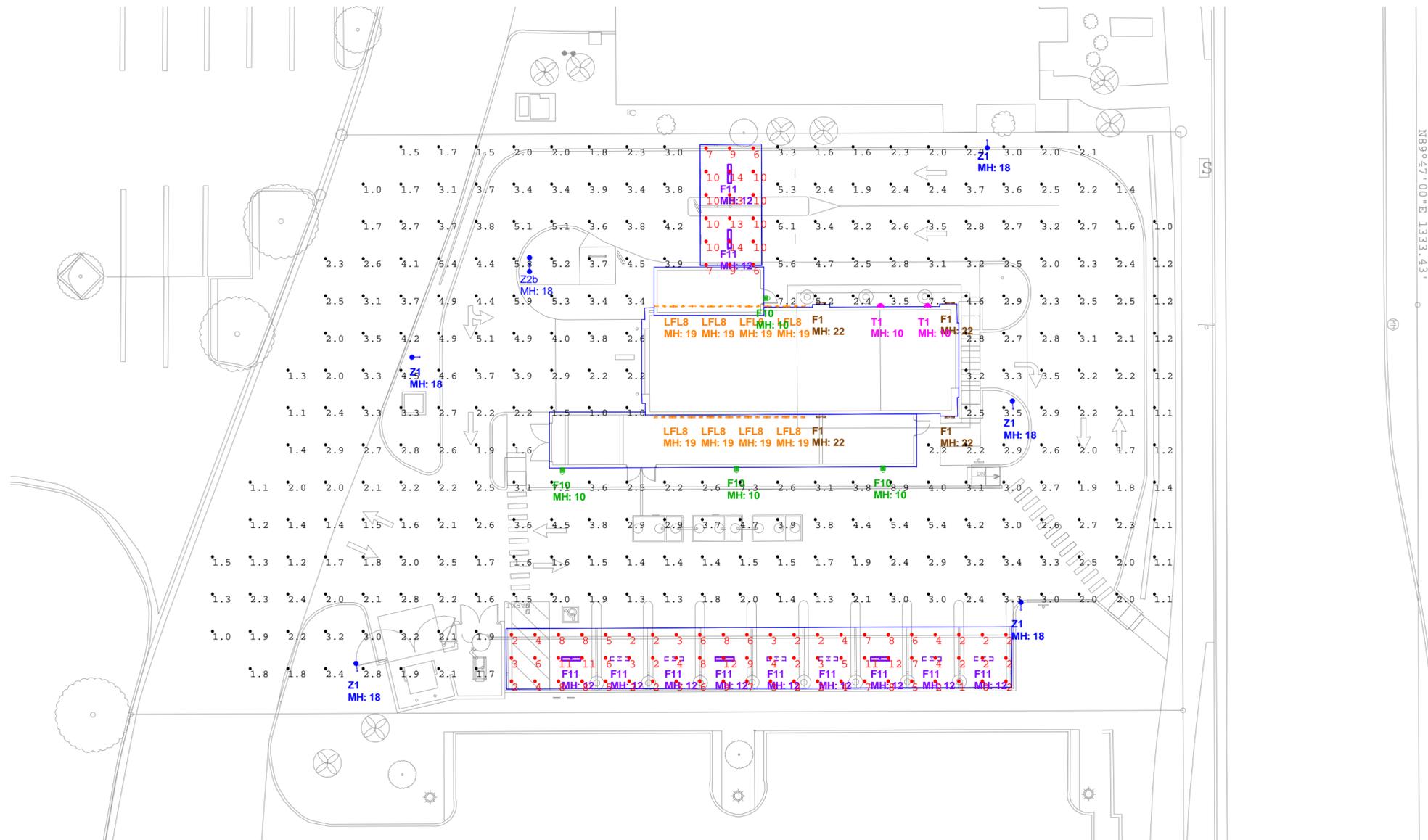
| Luminaire Schedule / "Did you know that utility rebates can cover 25% or more of a products cost? Email rebates@cree.com to get help on your project!" | | | | | | | |
|--|-----|-------|-------------|-------------|-------|------------|-----------------------------|
| Symbol | Qty | Label | Arrangement | Lumens/Lamp | LLF | Lum. Watts | Description |
| | 5 | Z1 | SINGLE | 7031 | 1.000 | 53 | OSQ-A-NM-4ME-Z-57K-UL-xx |
| | 1 | Z2b | BACK-BACK | 7031 | 1.000 | 53 | OSQ-A-NM-4ME-Z-57K-UL-xx |
| | 4 | F1 | SINGLE | 4584 | 1.000 | 66 | FLD-OL-SN-D2-14-E-UL-SV-700 |
| | 4 | F10 | WALL MOUNT | 2722 | 1.000 | 25 | XSPW-A-0-3-M-G-U-x |
| | 11 | F11 | SINGLE | 5000 | 1.000 | 51 | WS4-50L-50K-10V-FD-SSL |
| | 8 | LFL8 | LFL 8FT | N.A. | 1.000 | 70 | LFL-A-8-DO-UL-SV-53K-SA |
| | 2 | T1 | SINGLE | N.A. | 1.000 | 30 | RS-30WLED-DO-xx-120 |

| Calculation Summary; LMF = 1.00 | | | | | | |
|---------------------------------|-------|------|-----|-----|---------|---------|
| Label | Units | Avg | Max | Min | Avg/Min | Max/Min |
| Pavement | Fc | 2.77 | 8.9 | 1.0 | 2.77 | 8.90 |
| Pay Station | Fc | 9.89 | 14 | 6 | 1.65 | 2.33 |
| Vacuum Canopy | Fc | 4.80 | 12 | 0 | N.A. | N.A. |

FIXTURE MOUNTING HEIGHTS AS SHOWN
POLES MOUNTED ON 2' BASE

ADDITIONAL EQUIPMENT REQUIRED:
(6) CL-SSP-4011-16-D2-xx (16' x 4" SQ POLE, 1@180° MOUNT)
(7) OSQ-DAxx DIRECT ARM MOUNT
PROPOSED POLES MEET 120MPH SUSTAINED WIND LOADS

***CUSTOMER TO VERIFY MOUNTING, VOLTAGE, AND COLOR
PRIOR TO PLACING ORDER



1200 92nd Street - Sturtevant, WI 53177
www.cree.com - (800) 236-6800

Project Name: QUICK QUACK CAR WASH - PALM SPRINGS, CA

SR No. 30239

Date: 8/17/2018

Scale: 1"=20'

Footcandles calculated at grade

Filename: QQ-180504PSCAJEER2.AGI

Layout by: JACOB EDLER

Illumination results shown on this lighting design are based on project parameters provided to Cree, Inc. used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting, or energy code.



NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA
CHINO DR.
Palm Springs, CA
92262

PERSPECTIVE

DATE 09.06.2018

PROJECT NO 15076

REVISIONS
NO DATE DESCRIPTION:

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SEAL

A204

SHEET NUMBER

09-06-18

PERSPECTIVE B SCALE: NTS 01



NEW FACILITY FOR

Quick Quack Car Wash

1717 E. VISTA
CHINO DR.
Palm Springs, CA
92262

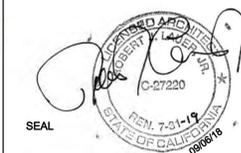
PERSPECTIVE

DATE 09.06.2018

PROJECT NO 15076

REVISIONS
NO DATE DESCRIPTION:

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SEAL

A203

SHEET NUMBER

09-06-18

PERSPECTIVE A

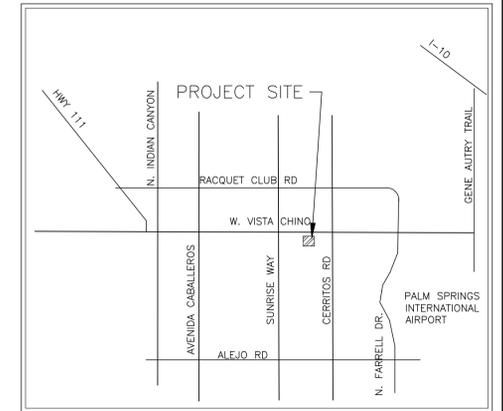
SCALE: NTS

01

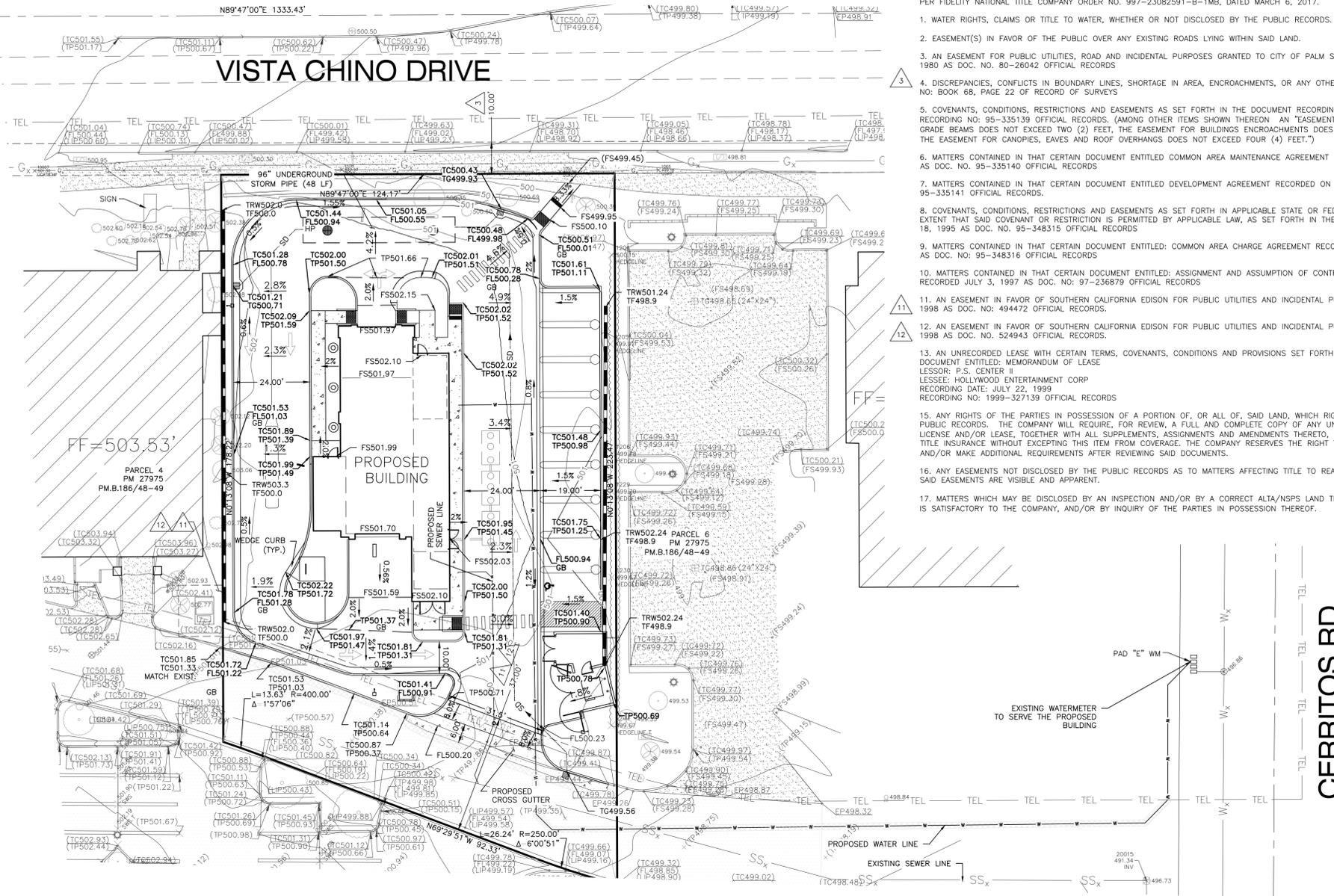
PRELIMINARY GRADING PLAN FOR QUICK QUACK CAR WASH

PARCEL 5 PM NO. 27975 PMB 186/48-49

MAY 2018



VICINITY MAP
N.T.S.



EASEMENT NOTES:

- PER FIDELITY NATIONAL TITLE COMPANY ORDER NO. 997-23082591-B-1MB, DATED MARCH 6, 2017.
1. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.
 2. EASEMENT(S) IN FAVOR OF THE PUBLIC OVER ANY EXISTING ROADS LYING WITHIN SAID LAND.
 3. AN EASEMENT FOR PUBLIC UTILITIES, ROAD AND INCIDENTAL PURPOSES GRANTED TO CITY OF PALM SPRINGS RECORDED FEBRUARY 7, 1980 AS DOC. NO. 80-26042 OFFICIAL RECORDS
 4. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER MATTERS SHOWN ON RECORDING NO. BOOK 68, PAGE 22 OF RECORD OF SURVEYS
 5. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AS SET FORTH IN THE DOCUMENT RECORDING DATE: OCTOBER 06, 1995 RECORDING NO: 95-335139 OFFICIAL RECORDS. (AMONG OTHER ITEMS SHOWN THEREON AN "EASEMENT FOR FOOTINGS, PIERS, PILES, GRADE BEAMS DOES NOT EXCEED TWO (2) FEET, THE EASEMENT FOR BUILDINGS ENCROACHMENTS DOES NOT EXCEED SIX (6) INCHES, AND THE EASEMENT FOR CANOPIES, EAVES AND ROOF OVERHANGS DOES NOT EXCEED FOUR (4) FEET.")
 6. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED COMMON AREA MAINTENANCE AGREEMENT RECORDED ON OCTOBER 06, 1995 AS DOC. NO. 95-335140 OFFICIAL RECORDS
 7. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED DEVELOPMENT AGREEMENT RECORDED ON OCTOBER 06, 1995 AS DOC. NO: 95-348315 OFFICIAL RECORDS.
 8. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT RECORDED OCTOBER 18, 1995 AS DOC. NO. 95-348316 OFFICIAL RECORDS
 9. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED: COMMON AREA CHARGE AGREEMENT RECORDED OCTOBER 18, 1995 AS DOC. NO: 95-348316 OFFICIAL RECORDS
 10. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED: ASSIGNMENT AND ASSUMPTION OF CONTRACTS AND INTANGIBLE PROPERTY RECORDED JULY 3, 1997 AS DOC. NO: 97-236879 OFFICIAL RECORDS
 11. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES RECORDED NOVEMBER 16, 1998 AS DOC. NO: 494472 OFFICIAL RECORDS.
 12. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES RECORDED DECEMBER 3, 1998 AS DOC. NO. 524943 OFFICIAL RECORDS.
 13. AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT ENTITLED: MEMORANDUM OF LEASE
LESSOR: P.S. CENTER II
LESSEE: HOLLYWOOD ENTERTAINMENT CORP
RECORDING DATE: JULY 22, 1999
RECORDING NO: 1999-327139 OFFICIAL RECORDS
 15. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS. THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE WITHOUT EXCEPTING THIS ITEM FROM COVERAGE. THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.
 16. ANY EASEMENTS NOT DISCLOSED BY THE PUBLIC RECORDS AS TO MATTERS AFFECTING TITLE TO REAL PROPERTY, WHETHER OR NOT SAID EASEMENTS ARE VISIBLE AND APPARENT.
 17. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/NSPS LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.

OWNER

RAMON PARTNERS LIMITED PARTNERSHIP,
A NEVADA LIMITED PARTNERSHIP

ENGINEER

FOMOTOR ENGINEERING
225 SOUTH CIVIC DRIVE, SUITE 1-5
PALM SPRINGS, CALIFORNIA 92262
TELEPHONE: (760) 323-1842
FAX: (760) 323-1742
EMAIL: PHILLIP@FOMOTOR.COM
PHILLIP K. FOMOTOR, R.C.E. 47284

LEGEND

- BOUNDARY
- EXIST. FENCE
- EXIST. UNDERGROUND TV CABLE
- EXIST. UNDERGROUND TELEPHONE LINE
- EXIST. UNDERGROUND ELECTRIC LINE
- EXIST. OVERHEAD ELECTRIC LINE
- EXIST. SEWER LINE
- EXIST. WATER LINE
- EXIST. GAS LINE
- EXIST. WALL
- EXIST. CONTOUR
- EXIST. PAVEMENT
- EXIST. FIRE HYDRANT
- EXIST. WATER VALVE
- EXIST. CONCRETE
- EXIST. SEWER MANHOLE
- EXIST. POWER POLE
- EXIST. TV CABLE BOX
- EXIST. IRRIGATION VALVE
- EXIST. SEWER CLEANOUT
- EXIST. AIR CONDITIONING UNIT
- EXIST. TELEPHONE BOX
- EXIST. UTILITY STRUCTURE
- EXIST. GUY WIRE
- REMOVE AND REPLACE EXIST. PAVEMENT
- PROP RETAINING WALL
- STORM WATER FLOW DIRECTION
- SQUARE FOOT
- EXISTING
- MAP BOOK
- EXISTING
- TOP OF GRATE
- TOP OF CURB
- PROPOSED
- STORM DRAIN
- FLOW LINE
- ACRE

UTILITIES:

- ELECTRIC:** SOUTHERN CALIFORNIA EDISON
CONTACT: AMBER N. WRIGHT
(760) 202-4250
- GAS:** SO CALIFORNIA GAS COMPANY
CONTACT: 1-800-427-2200
- TELEPHONE:** VERIZON COMPANY
CONTACT: LARRY MOORE
(760) 778-3601
- WATER:** DESERT WATER AGENCY
CONTACT: DEBBIE RANDALL
(760) 323-4971 EXT 146
- TV CABLE:** TIME WARNER CABLE
CONTACT: DALE SCRIVNER
(760) 674-5452

GROSS AREA

GROSS AREA = 4.8 ACRE

NOTE

BEARINGS AND DISTANCES ARE PER A PENDING CORNER RECORD TO SUBMITTED TO AND SUBJECT TO RIVERSIDE COUNTY REVIEW.

LEGAL DESCRIPTION

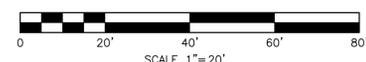
PARCEL 5 OF PARCEL MAP NO. 27975 PM 186/48-49.

BENCHMARK

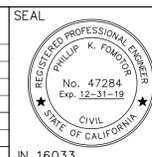
ELEVATION: 488.146 NGVD29
DESCRIPTION: 2" BRASS CAP STAMPED "G-1971" SET IN CONCRETE BEHIND THE N.N.W. CURB RETURN.
LOCATION: THE INTERSECTION OF FARRELL DRIVE AND VISTA CHINO.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF VISTA CHINO, BEING N89°47'00"E PER PM 186/48-49.



| NO. | REVISIONS | APPROVED | DATE |
|-----|-----------|----------|------|
| | | | |
| | | | |
| | | | |



FOMOTOR ENGINEERING
225 S. CIVIC DRIVE, SUITE 1-5
PALM SPRINGS, CA 92262
PH:(760)323-1842 FAX:(760)323-1742

CITY OF PALM SPRINGS, STATE OF CALIFORNIA
PRELIMINARY GRADING PLAN
FOR
QUICK QUACK CAR WASH
VISTA CHINO DR.
PARCEL 5 PM NO. 27975 PMB 186/48-49

PREPARATION DATE: 8/29/2018

1 OF 1 SHEETS

Planning Commission Regular

3.E.

Meeting Date: 09/12/2018

Subject

CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE FOR THE REDEVELOPMENT OF GOLF COURSES (CASE NO. 5.1444 ZTA). (DN)
(CONTINUED FROM THE JULY 25, 2018 MEETING).

RECOMMENDATION: Continue to October 3, 2018 Planning Commission Special Meeting.

Attachments

Golf Course Ordinance



CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING SERVICES
MEMORANDUM

Date: September 12, 2018
To: Planning Commission
From: Department of Planning Services *DN*
Subject: Agenda Item #2E
Case 5.1444 ZTA – 93.23.17 Conversion of Golf Courses

At the meeting of June 27, 2018, the Planning Commission considered an amendment to the Palm Springs Zoning Code to establish an ordinance regulating golf course redevelopment. The Planning Commission continued the hearing to the meeting of July 25, 2018 and again to the meeting of September 12, 2018, with direction on the following:

1. Identify density transfer mechanisms;
2. Add language in the Purpose and Intent section to identify the importance of maintaining some landscape buffers on the fairways, public access and view preservation;
3. Broaden notice requirements in Neighbor Outreach Meetings portion of the ordinance and add additional requirements for on-site signage;
4. Consider including one citywide meeting that utilizes various forms of noticing and includes outreach to renters; and
5. Intent is to preserve views for the public as well as open space.

On July 11 and 24, 2018, the Ad-hoc Planning Commission Golf Course Conversion Subcommittee held meetings open to members of public, and made changes to the draft ordinance to address the Commissioner comments. The changes are reflected in Attachment 2 to this report. A clean copy is also provided as Attachment 1.

Additional work is necessary to incorporate references to the transfer of development rights ordinance, which is presented as a separate item on today's agenda. In order to finalize the ordinances, staff recommends this item be continued to a Special Meeting of the Planning Commission scheduled for October 3, 2018.

Attachments:

1. Draft Ordinance (clean copy)
2. Draft Ordinance (redlined copy of 6/27/18 version)
3. Planning Commission Staff Report – June 27, 2018
4. Public Comment Letters (received since 6/27/18 meeting)

93.23.17 - Conversion of Golf Courses

- A. Purpose and Intent. The purpose of this ordinance is to assess and mitigate the impact of a golf course conversion on real property by establishing appropriate procedures, by requiring outreach with residents, property owners and community members and by establishing specific development standards to ensure compatibility with the existing land uses. The ordinance seeks to protect the public health, safety and welfare through the following:
1. Maintain open space. Recognizing there may be certain losses of open space with any conversion, this ordinance is intended to maintain usable and passive open spaces in perpetuity. These spaces provide benefits to nearby residents impacted by such conversions as well as the community at large.
 2. View preservation and access. This ordinance is intended to preserve open space views from public roads and residential property surrounding golf course property, while allowing public access to open space land to the maximum extent possible under law.
 3. Neighbor outreach. The intent is to require extensive communication between the applicant and nearby residents, property owners and interested community members (collectively, "community members") on the proposed conversion. In particular, the ordinance is designed to address the conversion of golf courses surrounded, in whole or in part, by existing residential uses or lands zoned residential.
 4. Public scoping process. The ordinance requires a two-step application process with the intent of resolving conflicts, addressing neighbor concerns and exploring project alternatives during the early stages of a proposed conversion. To that end, this ordinance requires an applicant to complete an intent to convert/scoping application process followed with the formal conversion application process for the applicable development entitlements to convert a golf course (see "conversion application" below).
 5. Development standards. It is the intent of the specific development standards contained herein to encourage the applicant to propose a conversion project with land uses and amenities that are compatible and complementary to existing neighborhoods. Further, the applicant is encouraged to incorporate reasonable input provided by nearby residents, property owners and community members into the development proposal.
- B. Applicability.
1. The following zoning actions and General Plan Amendments, hereafter collectively referred to as "conversion applications," shall be subject to this section. A conversion application shall be required when an applicant seeks to change a constructed golf course to a non-golf course use.
 - a. General Plan Amendments. This section applies to a golf course constructed in any general plan designation where the proposed non-golf course use is not permitted by the Land Use Element. Amendments to the General Plan shall be subject to requirements and procedures described in the General Plan and California Government Code Sections 65300 et. seq.

- b. Zoning actions. This section applies to a golf course constructed in any zoning district where the proposed non-golf course use is not permitted, accessory, or conditional in the zoning district or tract for which an entitlement is sought.
 - i. Specific Plan. A specific plan shall be prepared and adopted for the entire golf course site to provide a comprehensive land use plan complying with the goals and policies of the general plan and the requirements of this ordinance. A specific plan is required to address the unique characteristics and qualities of a project site. The specific plan may refer to and incorporate uses and standards outlined in the zones established by the zoning code, such as the R-1, R-2 or R-3 zoning districts.
 - ii. Development Agreement. In addition to a specific plan, a development agreement shall be prepared for a conversion that requires a transfer of development rights (density transfer). The development agreement shall specify the development rights transaction consisting of either in-kind replacement of such open space elsewhere in the City, payment of in-lieu fees, or replacement of converted open space through the use of density transfer, in accordance with General Plan policies and any applicable city ordinances. The development agreement shall be prepared in accordance with the requirements and procedures set forth in this section and Zoning Code section 94.08.00.
 2. Notwithstanding the applicability of Section 93.23.17(B)(1) of the Zoning Code, the City is not precluded from enforcing local codes requiring regular maintenance of a golf course, including the issuance of warnings, citations, etc. The golf course property owner(s) shall continue to maintain golf course property in accordance with Section 93.19.00 of the Zoning Code.
- C. Intent to convert application procedures.
1. Intent to convert application. The applicant shall submit an "Intent to Convert" application to the City prior to submitting a formal conversion application. The Director of Planning Services shall establish the procedure and application submittal requirements, including but not limited to:
 - a. A title report that identifies the current owner of the property and all encumbrances, including covenants, leases, easements, rights to purchase and any other legally binding instrument, against the property;
 - b. A property owner statement shall be submitted that expressly identifies any and all master leases, recreational leases, private use restrictions, covenants and open space easements that may impact and/or are within the chain of title to any portion of the golf course property (hereinafter, collectively referred to as the "Existing Agreements"). To the extent there are any Existing Agreements, the applicant shall attach such Existing Agreements to the Intent to Convert application and shall further identify whether or not the Existing Agreements impact any maintenance obligations and/or use of the golf course property. The applicant will further identify whether or not they are in default of any Existing Agreements (such as failure to maintain the golf course property) as well as the names, addresses, telephone number and

- contact persons of any and all parties (other than the applicant) to such Existing Agreements;
- c. The Developer's Alternatives Statement, as provided for in paragraph (C)(2) below;
 - d. A statement describing the methods to be used to engage community members at the Neighbor Outreach Meetings, as provided for in paragraph (C)(3) below;
 - e. Within 15 days after submitting the Intent to Convert Application, the applicant shall post on-site signage to inform the public that an Intent to Convert application has been submitted to the City. The applicant shall install one 3-foot by 4-foot sign per street frontage and an additional sign every 300 lineal feet along such streets to the satisfaction of the Director of Planning Services. The sign design shall be similar to the signage required in Section 94.09.00(F) of the Zoning Code, with project information, developer and city contact information and other criteria, as specified by the Director of Planning Services;
 - f. A fee shall be paid in such amount as has been prescribed by resolution of the city council for the purpose of defraying the City's costs of processing the application; and
 - g. Environmental Constraints. The applicant shall provide preliminary analyses and environmental studies that identify and evaluate environmental constraints on the project site. At a minimum, the submittal shall contain preliminary environmental analyses that address the following criteria:
 - i. Biological resources (potentially affected wetlands or waterways, potentially affected endangered/threatened species, wildlife migration);
 - ii. Cultural resources (prehistoric and/or historic resources/structures);
 - iii. Floodwaters (creeks, washes and/or water channels that cross the site, 100-year floodplains, delineation of federal and state waters, etc.);
 - iv. Geotechnical (earthquake faults, landslides, liquefaction);
 - v. Hazardous materials on site or proposed to be used in construction on site;
 - vi. Required permits and permitting agencies for the project (including compliance with the National Environmental Policy Act (NEPA), if required); and
 - vii. Water quality (surface and groundwater usage/depletion, Regional Water Quality Control Board or other agency compliance).
 - h. The owner shall attest that there are no active or outstanding code enforcement activities on the golf course.
2. Developer's Alternatives Statement.

The purpose of the Developer's Alternatives Statement (Alternatives Statement) is to serve as a tool to inform community members and the City about the

applicant's development options and intentions. It is intended to encourage communication and cooperation between the applicant, community members, and the City. The Alternatives Statement shall be prepared by the applicant and shall clearly identify the goals and objectives for the conversion project. The Alternatives Statement shall address, at a minimum, the four alternatives noted below. Each alternative shall be accompanied with an economic analysis that details its viability. The alternatives are not intended to be mutually exclusive; the conceptual development plan described below may incorporate one or more of the alternatives in the conversion project.

- a. No conversion: The applicant shall examine opportunities to retain all or part of the golf course. The following considerations are to be assessed:
 - i. Whether any of the existing property owners' association(s) with an Existing Agreement and/or which owns or manages any residential unit or common area within 500-feet of the golf course property, are willing and able to purchase all or part of the golf course; and
 - ii. Whether any of the existing property owners' association(s) and/or any new association with an Existing Agreement and/or which owns or manages any residential unit or common area within 500-feet of the golf course property, can coordinate joint control for all or part of the golf course.
 - iii. The economic feasibility of continuing to operate the golf course.
- b. Partial conversion: The applicant shall prepare a conceptual development plan where a nine-hole and/or par three course is part of the project and provide a narrative that describes the operational aspects of the course and its compatibility with existing and proposed uses, and the economic feasibility of partial conversion.
- c. Donation or purchase: The applicant shall coordinate with the City, local land conservancy agencies and abutting homeowners or homeowner's associations to determine if there is interest on the applicant's part to donate or sell, and the city's, land conservancy's, and/or homeowner's associations' part to accept a donation or purchase ownership, or maintain a portion or all of the property for a public or private use, such as a public or private park, open space, civic use, or other facility. This section shall not require the City, land conservancy or homeowner's association to purchase or accept a donation of any lands, nor shall this require the property owner to donate or sell any land.
- d. Full conversion development plan: The applicant shall prepare one or more proposed conceptual development plans, consistent with the development standards established in section 93.23.17(F) of the Zoning Code, depicting the proposed conversion. The applicant shall share the conceptual development plan with the neighboring residents at the Outreach Meetings as described in paragraph (C)(3) below. The conceptual development plan shall depict the retained and proposed land uses, including residential, non-residential, and preserve areas; existing and proposed roadway and pedestrian systems; existing and proposed trees and landscaping, including

the study and preservation of specimen trees; and the proposed location for the desert greenway, including any passive recreational uses. The narrative shall identify the intensity of the proposed land uses; how the proposed conversion is compatible with the existing surrounding land uses and any methods to provide benefits or mitigate impacts to the community members. It shall also identify any proposed deviations from the General Plan or Zoning Code. Visual exhibits to describe the conceptual development plan and amenities, including the desert greenway, shall also be provided.

3. Neighbor outreach meetings.

The Neighbor Outreach Meetings (Outreach Meetings) are intended to engage the residents, property owners and interested community members, early in the conversion project and inform the applicant as to what these parties find important in the neighborhood, what they consider compatible with the neighborhood, and what types of land uses they would support to be added to the neighborhood. An assigned City planner shall attend the Outreach Meetings and observe the process. The following is required of the applicant:

- a. The applicant shall conduct a minimum of two in-person Outreach Meetings in accordance with the procedures outlined by the Director of Planning Services. Notification of these meetings shall be provided to surrounding residents (including renters/occupants and property owners) and community associations that are located within 500-feet of any boundary of the subject golf course. When a portion of a community association is within 500-feet of a boundary, the notice shall be provided to all residents and property owners within the association. Notification of these meetings shall also be provided to all Neighborhood Organizations through the Office of Neighborhood Involvement. Additionally, the applicant shall host a website that provides information on Outreach Meetings and conceptual plans at any time there is an Intent to Convert application submitted to the City. The website address shall be incorporated in the mailings notifying the residents, community members and Neighborhood Organizations of the in-person Outreach Meetings. All costs of the Outreach Meetings shall be borne exclusively by the applicant.
- b. At the Outreach Meetings, the applicant shall, in good faith, provide information to the residents, property owners and community members about the purpose of the meeting, including a presentation on the goals and objectives of the conversion project, the conceptual development plan, the desert greenway concept, and the measures taken to ensure compatibility with the existing surrounding neighborhood.
- c. Outreach Meetings report for conversion applications. After completing both Outreach Meetings the applicant shall prepare an Outreach Meetings report. The report shall include a list of attendees, a description of the public outreach methods used, results from outreach methods, and copies of the materials used during the Outreach Meetings. The applicant shall also include a point-counterpoint list, identifying input from the community members and how and why it was or was not incorporated in the conversion application. The report shall be organized such that the issues and ideas provided by the

community members are clearly labeled by the applicant in the list and the conversion application.

- d. In addition to the above outreach requirements, the applicant shall, at the request of the City, hold additional meetings after the formal conversion application(s) is submitted.

4. Planning Commission Scoping Meeting.

Once the requirements of Sections (C)(1) through (C)(3) have been completed as determined by staff, the Planning Commission shall review the Intent to Convert application materials at a study session. The Commission may provide comments to the applicant, but shall not take any action on the Intent to Convert application, nor shall it preliminarily indicate approval, conditional approval or disapproval of the proposed project at this stage.

D. Formal conversion application procedures.

1. Application. An applicant shall not submit a conversion application (e.g. specific plan, development agreement, General Plan Amendment) until the Intent to Convert process outlined in subsection (C) is deemed complete. An Intent to Convert application may not be deemed completed unless and until all outstanding issues relating to any Existing Agreements have been resolved between/among the parties to such Existing Agreements. Thereafter, the applicant may proceed by submitting a formal conversion application with the City as follows:
 - a. General Plan Amendments. For projects subject to 93.23.17 B.1.b., the applicant shall file a General Plan Amendment application.
 - b. Other actions. For projects subject to 93.23.17 B.1.a., the applicant shall file a specific plan application and an application(s) for applicable entitlements. The specific plan shall include text and diagrams specifying (1) the distribution, location, and extent of uses of land, including open space, (2) standards by which development will proceed, (3) location of public and private improvements, (4) design guidelines, and (5) other criteria specific in Government Code Section 65451. In addition, the applicant shall file an application for a development agreement for a density transfer, in-kind replacement of open space or payment of in-lieu fees, as required by Policy LU 2.2 of the General Plan. Deviations from Zoning Code section 93.23.17 shall be prohibited; further, proposed deviations from the other sections of the Zoning Code shall be described in these applications when proposing development that deviates from the City's zoning districts.
 - c. Environmental documentation. The project will require environmental analysis and documentation, in accordance with the California Environmental Quality Act (CEQA). The City shall be the lead agency for the CEQA document and shall direct its preparation, as permitted under state law. The type of environmental document will be determined to be consistent with Section 15064 of the CEQA Guidelines. Environmental analysis for any federal approvals that require review under the National Environmental Policy Act (NEPA) should be coordinated with the federal agency with jurisdiction.

- d. Fees. When the conversion application is filed, a fee shall be paid in such amount as has been prescribed by resolution of the city council for the purpose of defraying the City's costs of processing the application. The applicant shall be responsible for paying fees associated with the review of the application, including but not limited to costs for third party consultants, staff and the city attorney's office.
2. Staff Investigation. After the application is deemed complete, staff shall make an investigation of the facts bearing on the case to provide the information necessary for action consistent with this ordinance and shall report the findings to the Planning Commission and City Council. Staff shall provide an analysis of the Guidelines as provided in subsection (E) below and any other findings applicable to the development entitlements being sought by the applicant.
 3. Planning Commission.
 - a. Public hearing. The Planning Commission shall hold a public hearing in the manner provided for in Section 94.09.00.
 - b. Review and recommendation. After holding a public hearing and deliberating the facts of the conversion application, the Commission shall make a recommendation to the City Council, including conformity recommendations related to findings of related project development entitlements, if applicable. In the event the Commission is unable to make a favorable recommendation and denies the conversion application, the applicant may appeal the decision to the City Council in accordance with the procedures of Section 2.05 of the Palm Springs Municipal Code.
 4. City Council.
 - a. Public hearing. The City Council shall hold a public hearing in the manner provided for in Section 94.09.00.
 - b. Review and decision. After holding a public hearing, considering the Planning Commission's recommendations and deliberating the facts of the applications, the City Council may approve or deny the conversion application.
- E. Compatibility review guidelines.
- The staff report shall evaluate, and the Planning Commission and City Council shall make written findings on each of the following:
1. Whether the applicant has met the requirements established in this section and development standards in the Zoning Code. In particular, that the proposed design and use(s) of the open space and desert greenway, as applicable, meet the standards as described in paragraph (F)(3) and the minimum fifty percent (50%) open space described in paragraph (F)(5) below.
 2. Whether the Outreach Meetings report and point-counterpoint list described above reasonably reflect the discussions that took place at the Outreach Meetings.

3. Whether the applicant incorporated reasonable input provided by the community members to address impacts of the golf course conversion on community members' real property.
4. Whether the applicant provided an explanation as to why input from the community members was not incorporated into the conceptual development plan.
5. Whether the applicant appropriately demonstrated opportunities and constraints of an existing site and economic viability of the chosen proposal.
6. Whether the applicant complies with other required findings for the requested development entitlements.
7. Whether there are any Existing Agreements that would prevent the application from moving forward.
8. Whether there are significant environmental impacts that cannot be mitigated with the proposed project.
9. Whether the proposed development adequately provides for the maintenance of the open space and desert greenway, flood zones, and washes.
10. Whether the applicant has demonstrated good faith in the maintenance of the property since acquisition by not allowing the property to deteriorate, or otherwise violated applicable State and local maintenance codes.
11. Whether the proposed development is compatible with the existing adjacent residential development.
12. Whether the proposed development is adequately set back from the existing residential development, or is buffered by desert greenway.

F. Development standards.

The following are additional minimum design standards for General Plan Amendments and/or other zoning actions that propose to convert a golf course.

1. Previously approved open space. Golf course acreages utilized to meet the minimum open space requirements for a previously approved project shall be retained as open space and shall not be included in open space calculations for any subsequent conversion projects.
2. Design Guidelines. In addition to the requirements of Government Code Section 65451, a specific plan shall include design guidelines that specify the form and type of design intended for the development.
3. Open space requirements. Minimum Required. At least half (50%) of any conversion project shall remain as open space. The open space shall include desert greenways (as required in paragraph F.4. below), landscape buffers, water channels, waterways, and to the extent feasible artificial ponds, and will be based on the project's gross acreage. For the purposes of this section, open space does not include:

- a. Streets (pavement and curbs),
- b. Driveways,
- c. Private residential yards for single family homes,
- d. Setbacks for all new uses (R-1, R-2, R-3, R-4, commercial and hotel zones),
- e. Public and private open space required for new R-1, R-2, R-3, R-4, commercial and hotel uses, including but not limited to pool areas, clubhouses, tennis courts, playgrounds, parks, etc. that are exclusive to those uses.

The open space shall be a separate parcel(s) from other parcels used for private development.

4. Desert greenway. The purpose of the greenway is to retain an open space view for community members, support active/passive recreational uses, preserve specimen trees, and support existing wildlife habitat, to the maximum extent possible. For the purposes of this section the desert greenway shall be identified as a continuous strip of land set aside for passive recreational uses, such as: open space, nature trails, parks, playgrounds, golf courses, disc golf courses, exercise equipment, appropriate urban agriculture, landscape buffers and multi-use paths. The City Council may approve other passive recreational uses that were considered by the Planning Commission. The desert greenway shall not include required yards (setbacks) of any individual lots.
 - a. The desert greenway shall be contiguous to the existing residential properties surrounding the golf course and generally located along the perimeter of the proposed development. The Council may approve an alternative design that was considered by the Planning Commission.
 - b. The greenway shall have a minimum average width of 100 feet, and a width of no less than 75 feet at any one location. The greenway shall span the length of the property to the greatest extent possible.
 - c. Maintenance of the greenways, artificial ponds, flood channels and floodways, shall be identified through the specific plan review process.
 - d. Existing trees and understory (shrubs and groundcover) shall be preserved and maintained to the greatest extent possible within the desert greenway. The site plan shall identify all existing trees, identify those trees that will be kept in current locations, those that will be transplanted to the desert greenway from other locations, and those that are proposed to be removed. New trees shall also be identified on the site plan. Trees should be sited along biking and walking paths in the desert greenways.
 - e. The proposed new plant materials within the desert greenway shall be selected from the Lush and Efficient Landscape Guidelines, published by the Coachella Valley Water District. The use of native plants is strongly encouraged.
 - f. A portion of the greenway may provide stormwater management.

93.23.17 - Conversion of Golf Courses

A. Purpose and Intent. The purpose of this ordinance is to assess and mitigate the impact of a golf course conversion on real property by establishing appropriate procedures, by requiring outreach with residents, property owners and community members and by establishing specific development standards to ensure compatibility with the existing land uses. The ordinance seeks to protect the public health, safety and welfare through the following:

1. Maintain open space. Recognizing there may be certain losses of open space with any conversion, this ordinance is intended to maintain usable and passive open spaces in perpetuity. These spaces provide benefits to nearby residents impacted by such conversions as well as the community at large.

~~2.~~ 2. View preservation and access. This ordinance is intended to preserve open space views from public roads and residential property surrounding golf course property, while allowing public access to open space land to the maximum extent possible under law.

3. Neighbor outreach. The intent is to require extensive communication between the applicant and nearby residents, property owners and interested community members (collectively, "community members") on the proposed conversion. In particular, the ordinance is designed to address the conversion of golf courses surrounded, in whole or in part, by existing residential uses or lands zoned residential.

~~34.~~ 34. Public scoping process. The ordinance requires a two-step application process with the intent of resolving conflicts, addressing neighbor concerns and exploring project alternatives during the early stages of a proposed conversion. To that end, this ordinance requires an applicant to complete an intent to convert/scoping application process followed with the formal conversion application process for the applicable development entitlements to convert a golf course (see "conversion application" below).

~~45.~~ 45. Development standards. It is the intent of the specific development standards contained herein to encourage the applicant to propose a conversion project with land uses and amenities that are compatible and complementary to existing neighborhoods. Further, the applicant is encouraged to incorporate reasonable input provided by nearby residents, property owners and community members into the development proposal.

B. Applicability.

1. The following zoning actions and General Plan Amendments, hereafter collectively referred to as "conversion applications," shall be subject to this section. A conversion application shall be required when an applicant seeks to change a constructed golf course to a non-golf course use.

a. General Plan Amendments. This section applies to a golf course constructed in any general plan designation where the proposed non-golf course use is not permitted by the Land Use Element. Amendments to the General Plan shall be subject to requirements and procedures described in the General Plan and California Government Code Sections 65300 et. seq.

- b. Zoning actions. This section applies to a golf course constructed in any zoning district where the proposed non-golf course use is not permitted, accessory, or conditional in the zoning district or tract for which an entitlement is sought.
 - i. Specific Plan. A specific plan shall be prepared and adopted for the entire golf course site to provide a comprehensive land use plan complying with the goals and policies of the general plan and the requirements of this ordinance. A specific plan is required to address the unique characteristics and qualities of a project site. The specific plan may refer to and incorporate uses and standards outlined in the zones established by the zoning code, such as the R-1, R-2 or R-3 zoning districts.
 - ii. Development Agreement. In addition to a specific plan, a development agreement shall be prepared for a conversion that requires a transfer of development rights (density transfer) ~~as required by the policies and goals of the general plan.~~ The development agreement shall specify the development rights transaction consisting of either in-kind replacement of such open space elsewhere in the City, payment of in-lieu fees, or replacement of converted open space through the use of density transfer, in accordance with General Plan policies and any applicable city ordinances. The development agreement shall be prepared in accordance with the requirements and procedures set forth in this section and Zoning Code section 94.08.00.
 2. Notwithstanding the applicability of Section 93.23.~~XX17~~(B)(1) of the Zoning Code, the City is not precluded from enforcing local codes requiring regular maintenance of a golf course, including the issuance of warnings, citations, etc. The golf course property owner(s) shall continue to maintain golf course property in accordance with Section 93.19.00 of the Zoning Code.
- C. Intent to convert application procedures.
1. Intent to convert application. The applicant shall submit an "Intent to Convert" application to the City prior to submitting a formal conversion application. The Director of Planning Services shall establish the procedure and application submittal requirements, including but not limited to:
 - a. A title report that identifies the current owner of the property and all encumbrances, including covenants, leases, easements, rights to purchase and any other legally binding instrument, against the property;
 - b. A property owner statement shall be submitted that expressly identifies any and all master leases, recreational leases, private use restrictions, covenants and open space easements that may impact and/or are within the chain of title to any portion of the golf course property (hereinafter, collectively referred to as the "Existing Agreements"). To the extent there are any Existing Agreements, the applicant shall attach such Existing Agreements to the Intent to Convert application and shall further identify whether or not the Existing Agreements impact any maintenance obligations and/or use of the golf course property. The applicant will further identify whether or not they are in default of any Existing Agreements (such as failure to maintain the golf

course property) as well as the names, addresses, telephone number and contact persons of any and all parties (other than the applicant) to such Existing Agreements;

- c. The Developer's Alternatives Statement, as provided for in paragraph (C)(2) below;
 - d. A statement describing the methods to be used to engage community members at the Neighbor Outreach Meetings, as provided for in paragraph (C)(3) below;
 - e. Within 15 days after submitting the Intent to Convert Application, the applicant shall post on-site signage to inform the public that an Intent to Convert application has been submitted to the City. The applicant shall install one 3-foot by 4-foot sign per street frontage and an additional sign every 300 lineal feet along such streets to the satisfaction of the Director of Planning Services. The sign design shall be similar to the signage required in Section 94.09.00(F) of the Zoning Code, with project information, developer and city contact information and other criteria, as specified by the Director of Planning Services;
 - f. A fee shall be paid in such amount as has been prescribed by resolution of the city council for the purpose of defraying the City's costs of processing the application; and
 - g. Environmental Constraints. The applicant shall provide preliminary analyses and environmental studies that identify and evaluate environmental constraints on the project site. At a minimum, the submittal shall contain preliminary environmental analyses that address the following criteria:
 - i. Biological resources (potentially affected wetlands or waterways, potentially affected endangered/threatened species, wildlife migration);
 - ii. Cultural resources (prehistoric and/or historic resources/structures);
 - iii. Floodwaters (creeks, washes and/or water channels that cross the site, 100-year floodplains, ~~etc.~~); delineation of federal and state waters, etc.);
 - iv. Geotechnical (earthquake faults, landslides, liquefaction);
 - v. Hazardous materials on site or proposed to be used in construction on site;
 - vi. Required permits and permitting agencies for the project (including compliance with the National Environmental Policy Act (NEPA), if required); and
 - vii. Water quality (surface and groundwater usage/depletion, Regional Water Quality Control Board or other agency compliance).
 - h. The owner shall attest that there are no active or outstanding code enforcement activities on the golf course.
2. Developer's Alternatives Statement.

The purpose of the Developer's Alternatives Statement (Alternatives Statement) is to serve as a tool to inform community members and the City about the applicant's development options and intentions. It is intended to encourage communication and cooperation between the applicant, community members, and the City. The Alternatives Statement shall be prepared by the applicant and shall clearly identify the goals and objectives for the conversion project. The Alternatives Statement shall address, at a minimum, the four alternatives noted below. Each alternative shall be accompanied with an economic analysis that details its viability. The alternatives are not intended to be mutually exclusive; the conceptual development plan described below may incorporate one or more of the alternatives in the conversion project.

- a. No conversion: The applicant shall examine opportunities to retain all or part of the golf course. The following considerations are to be assessed:
 - i. Whether any of the existing property owners' association(s) with an Existing Agreement and/or which owns or manages any residential unit or common area within 500-feet of the golf course property, are willing and able to purchase all or part of the golf course; and
 - ii. Whether any of the existing property owners' association(s) and/or any new association with an Existing Agreement and/or which owns or manages any residential unit or common area within 500-feet of the golf course property, can coordinate joint control for all or part of the golf course.
 - iii. The economic feasibility of continuing to operate the golf course.
- b. Partial conversion: The applicant shall prepare a conceptual development plan where a nine-hole and/or par three course is part of the project and provide a narrative that describes the operational aspects of the course and its compatibility with existing and proposed uses, and the economic feasibility of partial conversion.
- c. ~~City or land conservancy donation~~Donation or purchase: The applicant shall coordinate with the City ~~and~~ local land conservancy agencies and abutting homeowners or homeowner's associations to determine if there is interest on the applicant's part to donate or sell, and the city's ~~and/or~~ land conservancy's and/or homeowner's associations' part to accept a donation or purchase ownership, or maintain a portion or all of the property for a public or private use, such as a public or private park, open space, civic use, or other ~~public facilities~~facility. This section shall not require the City ~~or~~ land conservancy or homeowner's association to purchase or accept a donation of any lands, nor shall this require the property owner to donate or sell any land.
- d. Full conversion development plan: The applicant shall prepare one or more proposed conceptual development plans, consistent with the development standards established in ~~Zoning Code~~ section 93.23.XX-17(F) of the Zoning Code, depicting the proposed conversion. The applicant shall share the conceptual development plan with the neighboring residents at the Outreach Meetings as described in paragraph (C)(3) below. The conceptual development plan shall depict the retained and proposed land uses, including

residential, non-residential, and preserve areas; existing and proposed roadway and pedestrian systems; existing and proposed trees and landscaping, including the study and preservation of specimen trees; and the proposed location for the desert greenway, including any passive recreational uses. The narrative shall identify the intensity of the proposed land uses; how the proposed conversion is compatible with the existing surrounding land uses and any methods to provide benefits or mitigate impacts to the community members. It shall also identify any proposed deviations from the General Plan or Zoning Code. Visual exhibits to describe the conceptual development plan and amenities, including the desert greenway, shall also be provided.

3. Neighbor outreach meetings.

The Neighbor Outreach Meetings (Outreach Meetings) are intended to engage the residents, property owners and interested community members, early in the conversion project and inform the applicant as to what these parties find important in the neighborhood, what they consider compatible with the neighborhood, and what types of land uses they would support to be added to the neighborhood. An assigned City planner shall attend the Outreach Meetings and observe the process. The following is required of the applicant:

- a. The applicant shall conduct a minimum of two in-person Outreach Meetings in accordance with the procedures outlined by the Director of Planning Services. Notification of these meetings shall be provided to surrounding residents, (including renters/occupants and property owners,) and community associations and that are located within 500-feet of any boundary of the subject golf course. When a portion of a community association is within 500-feet of a boundary, the notice shall be provided to all residents and property owners within the association. Notification of these meetings shall also be provided to all Neighborhood Organizations through the Office of Neighborhood Involvement. Additionally, the applicant shall host a website that provides information on Outreach Meetings and conceptual plans at any time there is an Intent to Convert application submitted to the City. The website address shall be incorporated in the mailings notifying the residents, community members and Neighborhood Organizations of the in-person Outreach Meetings. All costs of the Outreach Meetings shall be borne exclusively by the applicant.
- b. At the Outreach Meetings, the applicant shall, in good faith, provide information to the residents, property owners and community members about the purpose of the meeting, including a presentation on the goals and objectives of the conversion project, the conceptual development plan, the desert greenway concept, and the measures taken to ensure compatibility with the existing surrounding neighborhood.
- c. Outreach Meetings report for conversion applications. After completing both Outreach Meetings the applicant shall prepare an Outreach Meetings report. The report shall include a list of attendees, a description of the public outreach methods used, ~~photos from the meetings demonstrating the outreach process,~~ results from outreach methods, and copies of the materials

used during the Outreach Meetings. The applicant shall also include a point-counterpoint list, identifying input from the community members and how and why it was or was not incorporated in the conversion application. The report shall be organized such that the issues and ideas provided by the community members are clearly labeled by the applicant in the list and the conversion application.

d. In addition to the above outreach requirements, the applicant shall, at the request of the City, hold additional meetings after the formal conversion application(s) is submitted.

4. Planning Commission Scoping Meeting.

Once the requirements of Sections (C)(1) through (C)(3) have been completed as determined by staff, the Planning Commission shall review the Intent to Convert application materials at a study session. The Commission may provide comments to the applicant, but shall not take any action on the Intent to Convert application, nor shall it preliminarily indicate approval, conditional approval or disapproval of the proposed project at this stage.

D. Formal conversion application procedures.

1. Application. An applicant shall not submit a conversion application (e.g. specific plan, development agreement, General Plan Amendment) until the Intent to Convert process outlined in subsection (C) is deemed complete. An Intent to Convert application may not be deemed completed unless and until all outstanding issues relating to any Existing Agreements have been resolved between/among the parties to such Existing Agreements. Thereafter, the applicant may proceed by submitting a formal conversion application with the City as follows:

a. General Plan Amendments. For projects subject to 93.23.~~XX17~~ B.1.b., the applicant shall file a General Plan Amendment application.

b. Other actions. For projects subject to 93.23.~~XX17~~ B.1.a., the applicant shall file a specific plan application and an application(s) for applicable entitlements. The specific plan shall include text and diagrams specifying (1) the distribution, location, and extent of uses of land, including open space, (2) standards by which development will proceed, (3) location of public and private improvements, (4) design guidelines, and (5) other criteria specific in Government Code Section 65451. In addition, the applicant shall file an application for a development agreement for a density transfer ~~is, in-kind replacement of open space or payment of in-lieu fees, as required by Policy LU 2.2 of the General Plan.~~ Deviations from Zoning Code section 93.23.~~XX17~~ shall be prohibited; further, proposed deviations from the ~~General Plan and~~ other sections of the Zoning Code shall be described in these applications when proposing development that deviates from the City's zoning districts.

c. Environmental documentation. The project will require environmental analysis and documentation, in accordance with the California Environmental Quality Act (CEQA) ~~and to the extent applicable, the National Environmental Policy Act (NEPA).~~ The City shall be the lead agency for the CEQA document and shall direct its preparation, as permitted under state law. The type of environmental document will be determined to be consistent with Section

15064 of the CEQA Guidelines. Environmental analysis for any federal approvals that require review under the National Environmental Policy Act (NEPA) should be coordinated with the federal agency with jurisdiction.

- d. Fees. When the conversion application is filed, a fee shall be paid in such amount as has been prescribed by resolution of the city council for the purpose of defraying the City's costs of processing the application. The applicant shall be responsible for paying fees associated with the review of the application, including but not limited to costs for third party consultants, staff and the city attorney's office.
2. Staff Investigation. After the application is deemed complete, staff shall make an investigation of the facts bearing on the case to provide the information necessary for action consistent with this ordinance and shall report the findings to the Planning Commission and City Council. Staff shall provide an analysis of the Guidelines as provided in subsection (E) below and any other findings applicable to the development entitlements being sought by the applicant.
3. Planning Commission.
 - a. Public hearing. The Planning Commission shall hold a public hearing in the manner provided for in Section 94.09.00.
 - b. Review and recommendation. After holding a public hearing and deliberating the facts of the conversion application, the Commission shall make a recommendation to the City Council, including conformity recommendations related to findings of related project development entitlements, if applicable. In the event the Commission is unable to make a favorable recommendation and denies the conversation application, the applicant may appeal the decision to the City Council in accordance with the procedures of Section 2.05 of the Palm Springs Municipal Code.
4. City Council.
 - a. Public hearing. The City Council shall hold a public hearing in the manner provided for in Section 94.09.00.
 - b. Review and decision. After holding a public hearing, considering the Planning Commission's recommendations and deliberating the facts of the applications, the City Council may approve or deny the conversion application.
- E. Compatibility review guidelines.

The staff report shall evaluate, and the Planning Commission and City Council shall make written findings on each of the following:

1. Whether the applicant has met the requirements established in this section and development standards in the Zoning Code. In particular, that the proposed design and use(s) of the open space and desert greenway, as applicable, meet the standards as described in paragraph (F)(3) and the minimum fifty percent (50%) open space described in paragraph (F)(5) below.
2. Whether the Outreach Meetings report and point-counterpoint list described above reasonably reflect the discussions that took place at the Outreach Meetings.

3. Whether the applicant incorporated reasonable input provided by the community members to address impacts of the golf course conversion on community members' real property.
 4. Whether the applicant provided an explanation as to why input from the community members was not incorporated into the conceptual development plan.
 5. Whether the applicant appropriately demonstrated opportunities and constraints of an existing site and economic viability of the chosen proposal.
 6. Whether the applicant complies with other required findings for the requested development entitlements.
 7. Whether there are any Existing Agreements that would prevent the application from moving forward.
 8. Whether there are significant environmental impacts that cannot be mitigated with the proposed project.
 9. Whether the proposed development adequately provides for the maintenance of the open space and desert greenway, flood zones, and washes.
 10. Whether the applicant has demonstrated good faith in the maintenance of the property since acquisition by not allowing the property to deteriorate, or otherwise violated applicable State and local maintenance codes.
 11. Whether the proposed development is compatible with the existing adjacent residential development.
 12. Whether the proposed development is adequately set back from the existing residential development, or is buffered by desert greenway.
- F. Development standards.

The following are additional minimum design standards for General Plan Amendments and/or other zoning actions that propose to convert a golf course.

1. Previously approved open space. Golf course acreages utilized to meet the minimum open space requirements for a previously approved project shall be retained as open space and shall not be included in open space calculations for any subsequent conversion projects.
2. Design Guidelines. In addition to the requirements of Government Code Section 65451, a specific plan shall include design guidelines that specify the form and type of design intended for the development.
33. Open space requirements. Minimum Required. At least half (50%) of any conversion project shall remain as open space. The open space shall include desert greenways (as required in paragraph F.4. below), landscape buffers, water channels, waterways, and to the extent feasible artificial ponds, and will be based on the project's gross acreage. For the purposes of this section, open space does not include:
 - a. Streets (pavement and curbs).
 - b. Driveways.
 - c. Private residential yards for single family homes.
 - d. Setbacks for all new uses (R-1, R-2, R-3, R-4, commercial and hotel zones).

e. Public and private open space required for new R-1, R-2, R-3, R-4, commercial and hotel uses, including but not limited to pool areas, clubhouses, tennis courts, playgrounds, parks, etc. that are exclusive to those uses.

The open space shall be a separate parcel(s) from other parcels used for private development.

4. Desert greenway. The purpose of the greenway is to retain an open space view for community members, support active/passive recreational uses, preserve specimen trees, and support existing wildlife habitat, to the maximum extent possible. For the purposes of this section the desert greenway shall be identified as a continuous strip of land set aside for passive recreational uses, such as: open space, nature trails, parks, playgrounds, golf courses, disc golf courses, exercise equipment, appropriate urban agriculture, landscape buffers and multi-use paths. The City Council may approve other passive recreational uses that were considered by the Planning Commission. The desert greenway shall not include required yards (setbacks) of any individual lots.
- a. The desert greenway shall be contiguous to the existing residential properties surrounding the golf course and generally located along the perimeter of the proposed development. The Council may approve an alternative design that was considered by the Planning Commission.
 - b. The greenway shall have a minimum average width of 100 feet, and a width of no less than 75 feet at any one location. The greenway shall span the length of the property to the greatest extent possible.
 - c. Maintenance of the greenways, artificial ponds, flood channels and floodways, shall be identified through the specific plan review process.
 - d. Existing trees and understory (shrubs and groundcover) shall be preserved and maintained to the greatest extent possible within the desert greenway. The site plan shall identify all existing trees, identify those trees that will be kept in current locations, those that will be transplanted to the desert greenway from other locations, and those that are proposed to be removed. New trees shall also be identified on the site plan. Trees should be sited along biking and walking paths in the desert greenways.
 - e. The proposed new plant materials within the desert greenway shall be selected from the Lush and Efficient Landscape Guidelines, published by the Coachella Valley Water District. The use of native plants is strongly encouraged.
 - f. A portion of the greenway may provide stormwater management.
 - g. The applicant shall record a restrictive covenant in the County's official records describing the use and maintenance of the greenway as described in the zoning action. The covenant may shall to the extent feasible contain a provision that provides the public with a non-exclusive easement over the paths, walkways and bike trails within the desert greenway. The greenway shall retain its zoning designation as open space.

- ~~4. Landscape Buffers. A landscape buffer shall be provided between the proposed development and existing sites zoned residential or with residential uses adjacent to the overall site. The buffer shall be an average of 50 feet with a minimum of 35 feet in width, except where a single fairway is lined with existing homes on both sides.~~ 5. Building Setbacks.
- a. Single Story Structures. All one-story non-golf course uses, except for the Desert greenway, shall provide a minimum average 50-foot setback from the property line of existing lands zoned residential or with residential uses, however the setback shall be no less than 35 feet at any one location, except where a single fairway is lined with existing homes on both sides. In that case, the setback requirement may be reduced on one side of the fairway by City Council.
- b. Multi-story Structures. All structures exceeding one-story within the project area shall provide a minimum setback of 150 feet from the property line of existing lands zoned residential or with residential uses. This setback may be reduced to 100 feet if the area is buffered by a desert greenway.
- ~~5. Open space requirements. Minimum Required. At least half (50%) of any conversion project shall remain as open space. The open space shall include desert greenways (as required in Section 93.23.XX F.3 above), landscape buffers, water channels, waterways, and to the extent feasible artificial ponds, and will be based on the project's gross acreage. For the purposes of this section, open space does not include:~~
- a. ~~Streets (pavement and curbs),~~
- b.a. ~~Driveways,~~
- c.a. ~~Private residential yards for single family homes,~~
- d.a. ~~Setbacks for all new uses (R-1, R-2, R-3, R-4, commercial and hotel zones),~~
- e.a. ~~Public and private open space required for new R-1, R-2, R-3, R-4, commercial and hotel uses, including but not limited to pool areas, clubhouses, tennis courts, playgrounds, parks, etc. that are exclusive to those uses.~~
- ~~The open space shall be a separate parcel(s) from other parcels used for private development.~~
- c. The area between the structures and perimeter property line shall be landscaped and maintained. If unobstructed by walls/fences and consistent with Desert Greenways, this landscape buffer may be included in the open space standards identified in paragraph F.3. above.
6. Stormwater management requirements. The applicant shall demonstrate that the stormwater management for the surrounding uses will be maintained at an equivalent or improved level of service. This shall be demonstrated by a pre versus post development stormwater runoff analysis.
7. Floodplain review. In accordance with Riverside County Flood Control and FEMA, the project shall address all issues related to floodplain

management. Any areas proposed for structures shall be outside the 100-year floodplain after development. The post development condition shall not increase flood risk for any existing structures.

8. All other development standards. The conversion of golf courses shall be consistent with the development standards in the Zoning Code, as amended. Building heights, open space and other development standards shall comply with one or more of the zones listed in the Zoning Code. However, an alternative land plan with site specific standards may be considered when vetted through the process outlined in this ordinance, provided open space is preserved.

~~99. Building Setbacks~~

~~b. Single Story Structures. All one story non golf course uses, except for the Desert greenway, shall provide a minimum average 50 foot setback from the property line of existing lands zoned residential or with residential uses, however the setback shall be no less than 35 feet at any one location, except where a single fairway is lined with existing homes on both sides. In that case, the setback requirement may be reduced by City Council if vetted during the Outreach Meetings as described in Section 93.23.XX F.3.a.~~

~~c.a. Multi story Structures. All structures exceeding one story within the project area shall provide a minimum setback of 150 feet from the property line of existing lands zoned residential or with residential uses. This setback may be reduced to 100 feet if the area is buffered by a desert greenway.~~

- ~~10.~~ Existing roadways identified by the General Plan as Major or Secondary Thoroughfares, if previously interrupted by the existing golf course, shall be reconnected during the conversion process.



PLANNING COMMISSION STAFF REPORT

DATE: June 27, 2018

PUBLIC HEARING

SUBJECT: CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE TO ADDRESS GOLF COURSE REDEVELOPMENT (CASE NO. 5.1344 ZTA).

FROM: Department of Planning Services

SUMMARY:

The Planning Commission will consider establishing a new Zoning Code Section (93.23.17) addressing the redevelopment/conversion of golf course property throughout the City. The ordinance was prepared with direction from a Planning Commission ad hoc subcommittee and includes procedures and standards to assess and reduce the impacts of golf course conversions on real property.

RECOMMENDATION:

1. Recommend approval to the City Council; or
2. Direct staff to study the matter further and return with additional information.

ISSUES:

There are ten golf courses in the city which constitute a total of 171 golf holes and roughly 1,137 acres of open space land throughout Palm Springs. One of these courses has been approved for redevelopment and others are currently at-risk of closure and/or redevelopment.

BACKGROUND INFORMATION:

At the direction of the Planning Commission last December, an ad hoc Planning Commission subcommittee was formed to study golf course redevelopment. The subcommittee members – Chair Weremiuk, Vice-chair Calderine and Commissioner Moruzzi – first met on January 17, 2018, when the following goals were established:

1. Establish policy/ordinance mechanisms for the redevelopment/re-use of golf course open space.
2. Consider short- and long-term remedies to address future golf course conversions.

3. Create standards for open space, thoroughfares, housing and other relevant criteria.
4. Consider ownership and maintenance options, including the city, other agencies designated by the city, and adjacent homeowners associations.
5. Recognize General Plan Goals and Policies relevant to recreational open space, including policies RC1.2, RC1.5 and RC1.6 of the 2007 General Plan Recreation, Open Space, and Conservation Element.
6. Understand redevelopment issues addressed by other jurisdictions.

After establishing these goals, the subcommittee met on three occasions (January 18th and 31st and February 28th) to prepare and present a draft version of the ordinance to the Planning Commission. On April 11, 2018, the Planning Commission held a study session on the ordinance and provided favorable feedback on the general direction of ordinance, but noted further refinements would be appropriate and directed the subcommittee to continue working on revisions. After the study session, the subcommittee held additional meetings on April 18th and 25th, May 9th and June 13th, to refine and modify the ordinance. Throughout these meetings, members of the public have attended and provided input on the text of the ordinance.

ANALYSIS:

Currently, the City has no regulations on the redevelopment of golf courses that are designated as open space by the General Plan. Applicants redeveloping a golf course may submit applications as they see fit to amend the land use designation and establish a new use for a site. However, there are a whole host of issues that are associated with this type redevelopment and the process by which it is largely unregulated at this time. Some of the biggest concerns are the lack of neighbor input and in-depth studies of potential alternative uses for a golf course. To address these issues, the Planning Commission ad hoc subcommittee worked with staff to draft an ordinance. The document is found as **Attachment 1** to this report.

The ordinance begins with its purpose and intent, and defines the applicability to entitlement applications and general plan amendments (Sections A and B of the ordinance, respectively). Under the ordinance, golf course conversions may only occur with the approval of a general plan amendment and a specific plan, which eliminates the possibility of other forms of discretionary review applications such as a zone change or planned development district. Per the ordinance, a development agreement application would also be submitted when a transfer of development rights (AKA, density transfer) is required.

The ordinance requires a two-step process to redevelop a golf course site. The first step is found in Section C of the ordinance and involves an Intent to Convert application. In this step, an applicant is required to submit property background information (title report, existing agreements, etc.), a statement of project alternatives, a statement on neighbor outreach methods and preliminary environmental analyses, among other requirements.

The alternatives statement requires an applicant to examine and report alternatives to a conversion project. The alternatives would include:

- (1) A no conversion scenario where the golf course remains;
- (2) A partial conversion scenario where a nine-hole course or par three course is part of a project;
- (3) A city or land conservancy donation or purchase where the applicant investigates the possibility of transferring the land to an entity for public use, such as a public park, open space, civic use or other public facility; and
- (4) A full conversion development plan scenario where the property is redeveloped.

Also in the Intent to Convert application process, the ordinance requires an applicant to hold at least two public outreach meetings to solicit input from residents, property owners and other interested community members. Once all of the above items are completed, the ordinance requires the Intent to Convert application materials be reviewed by the Planning Commission at a study session.

After the Intent to Convert process is complete, the second step may begin and an applicant may submit the formal entitlement applications – a specific plan, development agreement and general plan amendment. Section D of the ordinance outlines the entitlement application requirements and process, including review and recommendation by the Planning Commission and final decision by the City Council. These bodies are to consider twelve compatibility review guidelines listed in Section E of the ordinance, and the proposal's conformance to development standards for golf course conversions found in Section F.

The development standards include provisions for incorporating desert greenways, open space, stormwater management, floodplain review and setbacks to existing residential developments. Of particular importance are requirements for open space, landscape buffers and building setbacks, as these will affect the amount of development that would be permitted with any golf course conversion project:

- Open space – All projects are required to provide 50% open space as a part of any redevelopment proposal. The open space shall be landscape buffers, water channels, waterways, artificial ponds and desert greenway (a term used in the ordinance to describe a continuous area of land set aside for passive recreational uses). However, the open space shall not include streets, driveways, yards and setbacks, or public/private open space required that are exclusive to those uses.
- Landscape buffers – Any proposed development must incorporate an average landscape buffer of 50-feet (but no less than 35-feet) between new development and the existing sites zoned residential.
- Building setbacks –
 - Single-story structures. All proposals must provide a minimum average setback of 50-feet (but no less than 35-feet) from existing lands zoned residential or with residential uses to new single-story structures. Where fairways are lined with homes on both sides, this standard may be reduced by City Council.
 - Multi-story structures. All structures exceeding one-story are to provide a

minimum setback of 150 feet from existing lands zoned residential or with residential uses. This setback may be reduced to 100 feet if the area is buffered by a desert greenway.

Unless otherwise stated in the ordinance, deviations to the development standards in Section F are prohibited.

REQUIRED FINDINGS:

In accordance with Section 94.07.01.A.2, any zone text amendment must be evaluated to determine if it is, "...consistent with the intent of this Zoning Code and the general plan..."

Zoning Code Consistency: The proposed zoning code amendment is consistent with the intent of the zoning code, because, according to Section 91.00.00, the Zoning Code is adopted "For the purpose of promoting and protecting the public health, safety and welfare of the people of the city of Palm Springs and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources...". The Conversion of Golf Courses ordinance is consistent with this intent, as it seeks to protect the public health, safety and welfare through maintaining open space and establishing development standards for compatible and complementary land uses. In addition, the ordinance facilitates a neighbor and public scoping process.

General Plan Consistency: The proposed zoning code amendment is consistent with the intent of the general plan, as follows: The intent of the General Plan is expressed in "The Palm Springs Vision" contained in the opening pages of the 2007 Palm Springs General Plan:

The Palm Springs Vision

- *A world-renowned desert resort community where residents and visitors enjoy safe neighborhoods, an exciting social environment and a relaxing leisure experience.*
- *We enhance our natural, cultural, and historical resources with sustainable economic growth and high style.*
- *We provide responsive, friendly and efficient public services within a government that fosters unit among all our citizens;*

The proposed zone text amendment would establish development standards to reduce impacts associated with the loss of golf course open space, which contribute to the City's image as a world-renowned desert resort community.

ENVIRONMENTAL ANALYSIS:

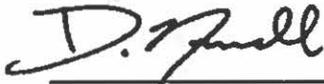
Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the proposed Zone Text Amendment has been deemed a "project". Staff has determined that the proposed zone text amendment (Case 5.1444 ZTA) may be deemed Categorical Exempt from the provisions of CEQA under Section 15305 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines. The proposed zone text amendment

proposes new regulations that will expand the process by which an entitlement application is considered and maintain open space land previously used for recreational purposes.

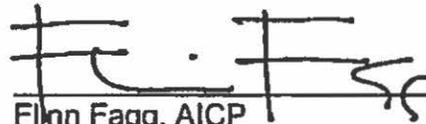
CONCLUSION:

The draft ordinance provides a well-rounded process for receiving public input, studying redevelopment alternatives and identifying environmental constraints associated with golf course conversions, through the two-step review process. Additionally, the ordinance establishes development standards for open space, building setbacks, landscape buffers, etc. to minimize complete loss of open space and provide development that is compatible with adjacent residential development.

The Planning Commission may consider the ordinance adequate in its current form and recommend approval to the City Council. Alternatively, the Commission can provide direction to make revisions to the ordinance. One suggestion by a member of the ad hoc subcommittee is to prepare a transfer of density/development rights ordinance in conjunction with the proposed ordinance as a way to strengthen the preservation of open space throughout the City.

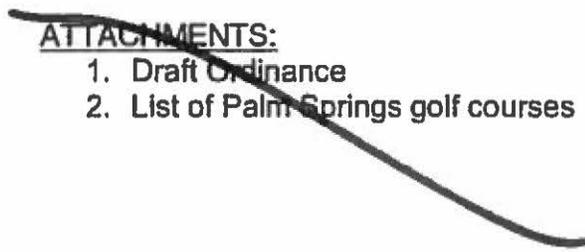


David A. Newell
Associate Planner



Flinn Fagg, AICP
Director of Planning Services

ATTACHMENTS:

1. Draft Ordinance
 2. List of Palm Springs golf courses
- 



LENA D. WADE, ESQ.
wade@sbemp.com
ADMITTED IN CA

REPLY TO:
Palm Springs, California

August 31, 2018

VIA FIRST CLASS MAIL

City of Palm Springs
Planning Commission Members
c/o Flinn Fagg, Planning Director
3200 Tahquitz Canyon Drive
Palm Springs, CA 92262

RE: Bel Air Greens Property and Proposed Golf Course Conversion Ordinance

Dear Sir/Madam:

The leaseholder of the former Bel Air Greens ("BAG") property ("Subject Property"), Ash, Inc., understands from the background of the golf course conversion ordinance under consideration by the Palm Springs Planning Commission ("Proposed Ordinance") that the purposes of the Proposed Ordinance include:

- Protecting property owners abutting existing golf courses from unexpected development of zoned and planned Open Space; and
- Protecting the community from losing promised open space that happens to be a golf course where the full zoning density was transferred away from the golf course; and
- Preserving all existing (or future) golf courses as permanent open space or possibly allow a modicum of development while requiring 50% of the property as open space accessible to the public essentially at no charge to the City (and apparently to be improved and maintained at the land owners expense).

The managing General Partner of the Leasehold interest for the Subject Property objects to the former golf property being included as one of the targets of the Proposed Ordinance and requests/demands that the property located at 1001 S. El Cielo Road (City Case No. PA 18-003) be removed from the Proposed Ordinance for the following reasons:

- The Subject Property is NOT an operational golf course and has not been for several years. The Planning Director has stated that the Conditional Use Permit that had allowed the operation of a commercial recreation center on the Subject Property has expired due

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August 31, 2018

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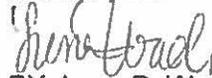
to non-usage of the facility. The Subject Property is no longer authorized to operate a golf course and, therefore, does not qualify as a property subject to the Proposed Ordinance.

- BAG never sold perimeter, residential real estate nor promised permanent open space to support the golf course and related commercial recreation center on the Subject Property.
- The Subject Property is and has been zoned W-R-1-C since at least 1975. W-R-1-C zoning allows single-family use which is the intended use of the Subject Property once the Subject Property is protected from Tahquitz Creek flooding. (The City is reviewing a FEMA approved map revision showing that most of the Subject Property is flood-free.)
- This allotted Indian-land parcel has had a leasehold in place since 1975 allowing the commercial recreation center as an interim use until the flooding was contained at which time single-family residential and other uses are considered appropriate by the leasehold.
- When the former Clarkston Golf Center was approved and built in 1975, there were no abutting residential neighbors and no golf course neighbors. To protect future neighbors, the City required the Subject Property to be heavily landscaped around the perimeters to protect future neighbors from stray golf balls as well as from the light and glare of the driving range and miniature golf activities which allowed night-time lighting.
- At the time of its development in 1975, no permanent open space was guaranteed by condition or offer, and no density transferred; clearly, the first two bullet points rationalizing the Proposed Ordinance are not applicable to the Subject Property.
- Since the Subject Property never transferred density nor promised permanent open space, any taking of any of the Subject Property for public ownership without just compensation appears to qualify as a regulatory taking. This includes both the proposed zoning action as well as the previous General Plan map changes.
- The property owner has begun the process to re-designate the General Plan to its previous Low-Density Residential use as required by the Indian leasehold on the Subject Property.

As discussed above, the Subject Property does not fit the criteria for a targeted golf course as set forth in the Proposed Ordinance and must, therefore, be removed therefrom. Furthermore, the Property owner should be allowed to process the needed General Plan amendments and other entitlement applications needed to use the Subject Property as allowed by the long-standing underlying zoning.

Sincerely,

SBEMP, LLP



BY: Lena D. Wade

cc: Albert Howell
Marvin Roos
Altum Group)
Edward Kotkin, City Attorney

David Newell

From: Flinn Fagg
Sent: Monday, August 13, 2018 7:24 AM
To: David Newell
Subject: FW: golf courses

From: hwbranch@aol.com [<mailto:hwbranch@aol.com>]

Sent: Thursday, August 9, 2018 1:51 PM

To: Edward Robertson <Edward.Robertson@palmspringsca.gov>; Flinn Fagg <Flinn.Fagg@palmspringsca.gov>

Subject: golf courses

It is my continuing hope that ecology will prevail at the Tahquitz, Bel Air and Mesquite Golf courses. Combined they constitute connectivity. The alternative would be ecological islands, each less rich than if connected.

The area is a mix of unique and critical desert wash and desert riparian habitat. Perhaps the three golf courses might be reduced to two. Perhaps hiking trails or other features might be added. Wastewater might be used to enhance restorations.

Naturalized golf courses incorporate geological and ecological parameters into their design. They can provide a wildlife corridor. Real estate development can block all this potential if allowed in the wrong location.

The Mesquite course is 65 acres. This isn't really such a big chunk of public open space. Golden Gate Park in San Francisco is 1,017 acres. Central Park in Manhattan is 843 acres.

The current owners bought a golf course. The City owes them nothing in the way of rezones or system tweaks. If they don't want to own a golf course they should sell it. If they do, it would be a wise investment for the City.

The true value of this property for the citizens of Palm Springs lies in its ecological potential. Any plan should begin with those bigger questions.

Harry Branch

David Newell

From: Flinn Fagg
Sent: Thursday, July 26, 2018 8:57 AM
To: David Newell
Subject: FW: Golf Course Ordinance

From: Linda Dixon [<mailto:walker260@me.com>]
Sent: Wednesday, July 25, 2018 12:30 PM
To: Flinn Fagg <Flinn.Fagg@palmspringsca.gov>
Cc: Geoff Kors <Geoff.Kors@palmspringsca.gov>; Lisa Middleton <Lisa.Middleton@palmspringsca.gov>
Subject: Golf Course Ordinance

Dear Planning Commissioners,

Thank you for all of your hard work constructing this new ordinance.

Unfortunately, I am not able to attend your July 25 meeting. Here are a few issues I'd like to address regarding the golf course ordinance:

EIR - please add language to the ordinance stating that an EIR may be necessary. It will make the ordinance much stronger. Please do not give a developer the opportunity to say, "there's no mention of an EIR in your ordinance." Adding the EIR language can't hurt anything even though there are CEQA requirements.

OPEN SPACE - I urge you to increase the open space to 60- 70%. Fact is - more and more young adults, millennials, want open space and are vacationing and visiting areas that provide it. Additionally, we need open space for parks, our pets and recreation areas for our citizens and our wildlife. Yes, development will happen, but developers should be required to address the quality of life for those in the community and the area where they intend to build. Will developers of any golf course property be required to add a park/recreation area to the development project?

OVERLAY DISTRICT - Consider an overlay district for all golf course property. Floodplains, riparian areas, wildlife corridors, forested areas and recreational space are well suited for overlay zones. Overlay districts are superimposed over one or more overlaying conventional zoning districts to preserve and protect natural resources. The most common application of overlay districts are in flood hazard districts where certain types of land use and development are required to comply with site and building standards if the properties located within a mapped flood hazard area.

MORATORIUM - Please send a strong message to our elected officials requesting that they impose a moratorium on all golf courses until an ordinance is carefully constructed and adopted. A 6-18 month moratorium will give you the time you need to perfect what you are currently working on. Our city has zoning codes that have not been updated in over 40 years. This is unbelievable to me, and I don't know how past elected officials or the city manager has allowed this to happen. Additionally, when the general plan was last updated the underlying zoning was not. This alone is good reason for a moratorium. And now that a person at today's study session indicated that this ordinance will likely find its way to a lawsuit, I believe this is more reason for a moratorium.

Please continue to work to make sure any housing developed on golf courses is compatible with surrounding homes. For instance, if there are 10,000 sq. ft. lots with single story family homes, work to approve and develop a project of the same nature, not 5,000 sq. ft. - zero lot line homes.

Please consider adding the property (open space) that houses Los Compadres Stable and Smoketree Stables to this ordinance. It is possible that sometime in the future they may request zoning changes so their property may be developed.

Again, thank you,

Linda W. Dixon

David Newell

From: Flinn Fagg
Sent: Wednesday, July 25, 2018 7:59 AM
To: David Newell
Subject: FW: Golf Course Conversions

From: Patty Shenker <pattypushka@gmail.com>

Sent: Monday, July 23, 2018 9:17 PM

To: Robert Moon <Robert.Moon@palmspringsca.gov>; Geoff Kors <Geoff.Kors@palmspringsca.gov>; Lisa Middleton <Lisa.Middleton@palmspringsca.gov>; JR Roberts <JR.Roberts@palmspringsca.gov>; Christy Holstege <Christy.Holstege@palmspringsca.gov>; Christina Chartier <Christina.Chartier@palmspringsca.gov>

Subject: Golf Course Conversions

7/23/18

Dear Mayor Moon & City Councilmembers,

My husband and I are very concerned about the amount of open space that is proposed at the Bel Air Greens. There simply isn't enough of it!

We bought a home two years ago in this neighborhood for many reasons. We have always loved Palm Springs & visited regularly for over 30 years. We love the diversity of people, the ease of getting around, unlike Los Angeles, the small town feel, the mountains and clouds and the animals & plants native to this beautiful desert.

Therefore, it comes as no surprise that we are not happy with the proposed development at the Greens. We don't want that much development and consequential traffic; we want more open spaces! Our understanding is that it could cause more flooding for surrounding neighborhoods.

We ask that a full Environmental Impact Report is done prior to any consideration of an application. We also ask that you put a moratorium on all golf course conversions until this issue is completely studied and please uphold our general plan that designates Bel Air Greens as open space. The current owner purchased this land FULLY knowing it was designated as open space.

We thank you for your time and attention to this important matter.

Patty Shenker & Doug Stoll
825 S. Riverside Dr.
Palm Springs, Ca. 92264

David Newell

From: Flinn Fagg
Sent: Monday, July 23, 2018 3:45 PM
To: David Newell
Subject: FW: Golf Course Conversion Ordinance

From: michele johnson [<mailto:33mich@sbcglobal.net>]
Sent: Monday, July 23, 2018 1:24 PM
To: Flinn Fagg <Flinn.Fagg@palmspringsca.gov>
Subject: Re: Golf Course Conversion Ordinance

Hi Flinn,

I'm hoping to make the Wed meeting (I don't know where all the rest came from) but if I don't could you pass on one more thing? Ask the commission to push for the 70% open space recommendation because then maybe we'll get 50. You know the developers will ask for less and you know the city council will give them anything they want. So if we start out at more maybe we'll get lucky. Thanks.

Also, is there any place where I can see what are the standard lot sizes and coverage? I looked all through the planning site and couldn't find anything like that.

Thanks,
Michele

David Newell

From: Flinn Fagg
Sent: Tuesday, July 24, 2018 1:16 PM
To: David Newell
Subject: FW: Bel Air Greens Pre-App

From: tanya petrovna [mailto:tanya.petrovna@gmail.com]
Sent: Tuesday, July 24, 2018 12:53 PM
To: Flinn Fagg <Flinn.Fagg@palmspringsca.gov>; terri.hinz@palmspringsca.gov
Cc: tanya petrovna <tanya.petrovna@gmail.com>
Subject: Re: Bel Air Greens Pre-App

Please forward to Planning Commission. Thanks!

Dear Planning Commission Members,

I have viewed the new submission of Bel Air Greens and I am saddened.

They are converting the open space to 95 packed-in homes. The open space they show is silly at best. Mesquite becomes a thoroughfare of noise, cars and traffic. I don't like having to pray for my life just from a simple task of going to get the mail or trying to turn into my driveway. I am extremely grateful for the road diet that occurred, but it is still scary and Mesquite going through to El Cielo would be the nail in my coffin.

Having my home on Mesquite and Farrell since it was built by the Alexanders in 1963 I have seen almost 100% of our natural wildlife and plant life disappear in the entire city. By the time I was 35 in '95 (I was born in Palm Springs and started my businesses here after college) it was almost all gone. Bel Air Greens has its own well and has two ponds that have encouraged migratory birds to land. Right now it is particularly important as the heat is upon us that they are able to continue to land there, with dwindling landing spots for migratory birds in California due to development, these birds have taken on these man made "gifts." Did you know large birds can not fly when it's so hot, just like airplanes they have to stay down. We may have some endangered species protected in the Migratory Bird Treaty Act now nesting there. U.S. Fish and Wildlife should be notified.

Bel Air has been a golf course since it was conceived and later designated as open space, it should stay open space. Why change the rules now for a developer? They are not the only people that bring business to the city. We've given enough PDD's and bonuses to them, what about the rest of us that bring business here?

We are also losing business to certain groups of thoughtful people young and old because we are becoming more concrete and less nature. We are in a time when nature is being rediscovered and science is matching the facts with the feeling of health and wellness we receive from it. The CVB has made health and wellness the prime target of bringing tourism to the valley as the most dollars are spent in this category world wide.

A few moments on Instagram and Facebook will show you that people come here to hike and young people, the Millennials and younger, are going to the high desert to experience weddings and events in the middle of the desert landscape, the natural one. Check out Tumbleweed Sanctuary in Yucca Valley, Studio Kate Floral, and Walk Down the Aisle. The Cactus Mart in Morongo is overwhelmed with floral orders for desert style weddings out in nature. Morton's Botanical can't charge enough to deter people from renting out space for parties and

weddings. This age group is my customer as well. We catered a wedding event in the middle of nowhere in Wonder Valley, people flew in from Europe to attend!

As I just watched the last awesome purple verbena field plowed down for a concrete packed in development called Vibe, my heart sank again. It seems to be a trend to have four letter word names for developments. Though now I do always seem to utter one when I drive by. Are they trying to make Palm Springs cool? Cool would start with the city having some ordinances to leave some of the nature scape. Did they have to plow down every desert plant that has been there for hundreds of years? Wipe out the last wildlife? Vibe was also the last creosote reserve in the city.

I notice we have no ordinances to keep any kind of native plants, or trees standing or to replace with such, and no relocation of wildlife before a big development. I drive down Baristo daily past "Vibe" and witnessed many dead animals on the road following the bulldozing.

Smoke Tree Ranch comes to mind as a prime example of development and nature. If the landscaping and planning of Smoke Tree Ranch was good enough for Walt Disney, could we possibly make something like this a consideration with our remaining open space and future developments? The way Cioffi saved the smoke trees while building the animal shelter was wonderful, but is that all we get?

The Mission Statement for the city states it provides excellent public service to "preserve the quality of life for current and future generations," it is not working.

You are in a very powerful and important position to take aim to help our community move into a positive direction to keep the beauty and our quality of life intact. Once it's gone, we are done.

I hope before consideration for this pre-application that a full Environmental Impact Report is required that will consider the traffic, animals, plants and flooding impacts to our neighborhood and our greater Palm Springs community.

Please help keep Palm Springs a living city and one that is a nice place to live.

Sincerely,

--

Tanya Petrovna
Chef and Founder
www.cheftanyaskitchen.com
Life is short, do it (t)all!

David Newell

From: Flinn Fagg
Sent: Tuesday, July 24, 2018 4:26 PM
To: David Newell
Subject: FW: Golf Course Ordinance

From: Linda Dixon [<mailto:walker260@me.com>]
Sent: Tuesday, July 24, 2018 4:01 PM
To: Flinn Fagg <Flinn.Fagg@palmspringsca.gov>
Cc: Geoff Kors <Geoff.Kors@palmspringsca.gov>; Lisa Middleton <Lisa.Middleton@palmspringsca.gov>
Subject: Golf Course Ordinance

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Please consider adding the property (open space) that houses Los Compadres Stable and Smoketree Stables to this ordinance. It is possible that sometime in the future they may request zoning changes so their property may be developed.

Again, thank you,

Linda W. Dixon

Pennie L. Feehan Consulting
2393 S. Brentwood Drive
Palm Springs, CA 92264
Office (760) 980-0830 - Cell (925) 323-3553 - Fax (866) 212-9802

RECEIVED

JUL 11 2018

PLANNING SERVICES
DEPARTMENT

July 6, 2018

Re: Conversion of Golf Courses

Dear Planning Commissioners,

Thank you for serving on our behalf. I know you have all spent many hours creating this document and I appreciate all your hard work.

Not until attending the meeting on June 27, did I realize that this document was ready to move forward. I am happy to hear that you identified missing or confusing language and set aside time to hear more public input.

Here are my concerns and recommended changes.

In a number of locations, the language used is too vague and therefore reduces the ability to enforce the ordinance.

I added the AHJ (Authority Having Jurisdiction) language in place of City Council, so that anyone authorized (Zoning Manager, Building Official, Fire Marshall, etc.) could enforce or allow exceptions within the ordinance. The way it is written now, the City Council is the only authorized entity that can make exceptions to the ordinance, which is excessive.

Reason Statement:

I believe this section referring to Property Maintenance Code 11.72.170, if so, it should state that.

1. Section B – Applicability #2

Notwithstanding the applicability of Section 93.23.XX(B)(1) of the Zoning Code, ~~is not precluded from~~ the City may enforce the Property Maintenance Code 11.72.170 and other local codes requiring regular maintenance to maintain a safe and healthy condition.

Reason Statement:

This reason applies to the next 3 items. These sections are vague and will be difficult to enforce. The developers will have the opportunity to debate and argue that the Greenway, Landscape Buffers, and Setbacks clearances or distances are not required and should be reduced.

2. Section F - Development Standards – #3 Desert Greenways (b)

The greenway shall have a minimum average width of 100 feet.

Exceptions:

Where the 100-foot width is unattainable a width of not less than 75 feet at any one location may be considered by the AHJ.

3. Section F - Development Standards #4 Landscape Buffers.

The buffer shall have a minimum width of ~~be an average of 50 feet.~~

Exception:

1. *Where the 50-foot width is unattainable with a minimum of width of 35 feet in width, may be considered by the AHJ.*
2. *~~except~~ Where a single fairway is lined with existing homes on both sides, in that case, the setback requirements may be reduced by the AHJ City Council.*

4. Section F - Development Standards #9 Building Setbacks (a).

Single Story Structures. The setback for aAll one-story structures zoned residential non-golf course uses, except for the Desert Greenway, shall provide a have a minimum average 50-foot feet setback from the property lines, of existing lands zoned residential or with residential uses,

Exception:

1. *Where the 50-foot width is unattainable however the setback shall be no less than with a minimum of width distance of 35 feet in width, may be considered by the AHJ.*
2. *~~except~~ Where a single fairway is lined with existing homes on both side. In that case, the setback requirement may be reduced by AHJ. City Council if vetted during the Outreach Meetings as described in Section 93.23XXF.3.a*

I wrote this in the format used for code documents developed through the ANSI process.

My professional experience includes:

- Consultant/Lobbyist for Copper Development Association, copper pipe and tubing division, focusing on Codes and Standards pertaining to plumbing and mechanical systems
- Voting member on the following committees:
 - IAPMO's Technical Committees for the Uniform Plumbing and Mechanical Codes and with over 25 years experience
 - ICC International Residential Code Committee and NFPA 54 Fuel Gas Code
- Former Chief Plumbing and Mechanical Inspector for the City of Oakland
- Former State of California's Building Standards Commission Advisory Board
- Former Instructor for IAPMO and Chabot Junior College teaching Plumbing and Mechanical Code classes and seminars

Certified Plumbing Inspector #024462, Certified Mechanical Inspector #090042
Member of ICC #8037452, NFPA #2776534 and IAPMO #444

Sincerely,



Pennie L. Feehan

David Newell

From: Jim Knauss <jfknla@gmail.com>
Sent: Thursday, June 28, 2018 7:10 AM
To: David Newell
Cc: Pennie Feehan; Jan Alden; Jen Gagner; Jeff Marx
Subject: Re: Golf Course Conversion Ordinance

Thanks David -

BTW, if that was you briefing the draft Ordinance yesterday, you are amazing! (sorry we haven't met yet). You did a terrific job. Having retired from a high tech company, I don't take those skills for granted.

After attending the session yesterday I have a few more comments. Please let me know how best to get these addressed:

- 1) We had about a half dozen neighborhood Organization Board members (4 from mine alone) who were surprised that the sub-committee has been having meetings since January on this and no one knew about it. I know Mr. Moruzzi said they were "agendized", but whatever that means, it does not mean that affected individuals in the city knew about them. I think the City could do well to review their notification process. If we had not gotten the notice from Joanne, we still would not be aware this was even going on. What about the City's Facebook, Instagram and Nextdoor presences? Private citizens actually posted this meeting on Nextdoor, but only for this latest session so they didn't know about the subcommittee meetings either. The Town Hall suggestion was a good one.
- 2) As far as single fairways and deciding what sort of buffer is appropriate, maybe the Commission should try and understand what sort of development is suitable for a single fairway and then decide what sort of buffer is right. The fairways don't seem to be wide enough for a row of two homes with yards and a road in between, so a single row of homes with a road? Two story development should be discouraged since that would adversely affect both sides of existing homes both from a value and a quality of life standpoint. Also, in considering the separation requirements, hopefully the City has considered the impact on the value of existing homes that were bought based on being on a single fairway and the recourse disgruntled citizens might have.
- 3) The matter of open space including waterways is interesting. Our Neighborhood is on the Tahquitz Creek Wash which we understand is not under the jurisdiction of the City and therefore not part of any development transaction the City would conduct, although the Golf Resort is currently using it. Since it would be outside of the development, if we are correct, it should not be part of any 50% open space calculation, though the draft Ordinance implies otherwise.
- 4) In our case, we have a couple hundred homes on or around our golf course. It may well be plausible to start an HOA type of arrangement with those homes to take over a portion of the golf course if development is needed. In our case we have an existing, 501(c)4 incorporated Neighborhood Organization that could be used to do that. Has this been considered?

Anyway, I know you are really busy and I don't want to be a burden. We are coming to the party late and that's why there are so many questions and comments. PLEASE let me know when the sub-committee and Commission are meeting to reconsider this topic so we can be sure and be there.

Many thanks - Jim

Meeting Date: 09/12/2018

Subject

CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO SECTIONS 91.00.10, 93.05.00 AND 94.03.00 OF THE PALM SPRINGS ZONING CODE (PSZC) RELATING TO DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENT DISTRICTS (PDD) AND THE REQUIREMENTS FOR PROCESSING PDD APPLICATIONS. (FF) *Continued from the July 11, 2018 Meeting*

RECOMMENDATION: Table the item and re-notice at a later date.

Attachments

PDD Ordinance



CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: September 12, 2018

To: Planning Commission
Architectural Advisory Committee

From: Flinn Fagg, AICP
Director of Planning Services

Subject: Agenda Item #2F – Case 5.1439 ZTA
Planned Development District Ordinance

The draft revisions to the Planned Development District (PDD) ordinance were reviewed at a public hearing of the Planning Commission on June 27, 2018. At that meeting, the City Attorney identified two issues with the draft ordinance that would require further research:

1. Public benefit requirements; and
2. Termination of the PDD.

In researching the issue of the proposed public benefit requirements, the law of exactions to prevent unconstitutional takings will apply. A dedication of property or payment of money (an “exaction”) required for discretionary approval must satisfy the United States and California Supreme Courts’ “essential nexus” requirement of *Nollan v. California Coastal Commission* (1987). In addition, the exaction must also satisfy the “rough proportionality requirement” of *Dolan v. City of Tigard* (1994). The draft language as written may exceed the level of exaction allowable under the law, and it is recommended that this section of the ordinance be revised in conformance to case law.

Relative to the issue of procedures for termination of a PDD, the ordinance must allow for adequate due process in revoking the discretionary approval. This requires notice to the permittee, a public hearing to consider the revocation, and evidence to support the findings for revocation. In addition, the process for reverting to the original zoning designation also requires a noticed public hearing and findings in support of the reversionary action.

Based on the research provided by the City Attorney, Sections 94.03.00(D)(3) and 94.03.00(H) of the draft legislative ordinance will need to be substantially revised to ensure that the rules of land use exactions and due process are satisfied. As the revisions to these sections are still in process, staff is requesting that Case 5.1439 be tabled to

allow adequate time to finalize the ordinance. The item will be re-noticed and scheduled for a public hearing once the revisions are complete.

Attachments:

1. Planning Commission Staff Report – 06/27/18
2. Legislative Draft Ordinance (dated 07/11/18)
3. Final Recommendations – Ad Hoc PDD Committee



PLANNING COMMISSION STAFF REPORT

DATE: June 27, 2018 PUBLIC HEARING

SUBJECT: REQUEST BY THE CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO AMEND PALM SPRINGS ZONING CODE SECTIONS 91.00.10, 93.05.00, AND 94.03.00 RELATING TO THE REGULATIONS FOR PLANNED DEVELOPMENT DISTRICTS (CASE 5.1439 ZTA).

FROM: Department of Planning Services

SUMMARY:

This is a request for consideration of proposed amendments to the Palm Springs Zoning Code (PSZC) relative to the regulations for Planned Development District applications. A Planning Commission subcommittee was appointed to study proposed amendments to the Planned Development District ordinance, in accordance with the work plan approved by the City Council earlier this year to implement the recommendations of the Ad Hoc PDD Committee. The proposed ordinance will implement many of the recommendations of the Ad Hoc PDD Committee.

RECOMMENDATION:

1. Recommend approval to the City Council; or
2. Alternatively, request modifications to the draft ordinance and continue the public hearing to a future meeting date.

BACKGROUND INFORMATION:

| <i>Related Relevant City Actions</i> | |
|--------------------------------------|---|
| July 2016 – March 2017 | The Ad Hoc PDD Committee met 15 times between July 2016 and March 2017, and formulated a list of proposed recommendations to revise and improve the process for consideration of Planned Development District (PDD) applications. |
| 05/10/17 | After several noticed public hearings and a study session, the Planning Commission voted to recommend approval of the recommendations of the Ad Hoc PDD Committee to the City Council, subject to certain revisions. |

| <i>Related Relevant City Actions</i> | |
|--------------------------------------|---|
| 07/20/17 | The City Council and the Planning Commission reviewed the recommendations of the Ad Hoc PDD Committee in a joint meeting, and approved the recommendations with revisions. Staff was directed to return to the City Council with a work plan for implementation of the recommendations. |
| 01/03/18 | The City Council reviewed a proposed work plan for implementation of the recommendations of the Ad Hoc PDD Committee, and directed staff to proceed with the work plan as proposed. |
| 01/10/18 | The Planning Commission appointed a subcommittee (Weremiuk, Calderine, Hirschbein) to study amendments to the PDD ordinance in accordance with the approved recommendations of the Ad Hoc PDD Committee. |
| 04/11/18 | The Planning Commission reviewed a draft of the proposed PDD amendments, and provided input to staff. |

ANALYSIS:

The recommendations of the Ad Hoc PDD Committee, approved by the City Council in July 2017, include a total 67 recommendations relative to improvements and revisions to the City’s process for reviewing and approving PDD applications. A total of 30 of the recommendations relate to specific changes to the PDD ordinance and the administrative aspects of processing PDD applications; a copy of the recommendations is attached to this report.

The Planning Commission appointed a subcommittee in January 2018 to study the proposed amendments to the PDD ordinance, and has met several times to discuss the proposed revisions. Staff has prepared a draft ordinance based on the recommendations of the Ad Hoc PDD Committee and the input of the Planning Commission subcommittee.

The primary changes to the ordinance are summarized as follows:

- Revises the purpose and intent statement for planned development districts – Section 94.03.00(A).
- Proposes revisions to the uses that are permitted within a planned development district – Section 94.03.00(C).
- Proposes modifications to the development standards for planned development districts – Section 94.03.00(D).
- Incorporates the City Council’s Public Benefit Policy Statement as part of the ordinance, with minor adjustments to the elements that may be considered as a public benefit – Section 94.03.00(E).
- Modifies the application process to require a pre-application review (Planning Commission Scoping Meeting) as part of the process – Section 94.03.00(F).
- Provides specific criteria and findings for review of planned development district

- applications – Section 94.03.00(G).
- Clarifies procedures for the approval of modifications to approved planned development applications – Section 94.03.00(I).
- Requires map extensions to be concurrent with the entitlements for a planned development district – Section 94.03.00(J).
- Adds standards and criteria for vehicular gates – Section 93.05.00.
- Adds definitions for lot coverage and open space to clarify the requirements for each as they pertain to planned development districts – Section 91.00.10.

The proposed revisions to the Planned Development District Ordinance will implement the following recommendations of the Ad Hoc PDD Committee; the entire list of recommendations is included as an attachment to this staff report.

Section 1 – Purpose of Planned Development Districts

1. Allow development of multiple land parcels under a single development plan.
2. Allow a mixture of land uses or zones in a single project.
3. Allow flexibility in development standards, *where contextually appropriate*.
4. Provide community benefits not required under the applicable zoning district or other land development codes.
5. Promote innovation and excellence in site and urban design, resulting in projects of significantly higher quality than would be achieved through conventional design practices and standards.
6. Promote design variety within a development.
7. Promote open space preservation through municipal dedication or community association ownership.
8. Promote more efficient traffic and pedestrian circulation.
9. Promote preservation of natural or significant/historic architectural features.

Section 2 – PDD Project Justification

10. Specify why and how the project is better than by right-of-zone, and why the PDD process is desirable for the project.
11. Specify exactly which exceptions are being requesting from the underlying zoning regulations and why those departures are necessary.
12. A PDD application shall specify the objectives of the project and how they relate to the PDD application.
13. Provide recreational facilities for residents of the development not otherwise required under the zoning district or other land development codes.

Section 3 – PDD General Requirements

14. The project shall comply with the land use map and policies as specified by the General Plan. A General Plan amendment shall be filed in conjunction with the PDD application where the proposed project is inconsistent with the existing land use designation of the General Plan.
15. The project shall comply with the height of the underlying zoning district, unless otherwise authorized by a specific plan or the General Plan.
16. Open space shall meet or exceed the open space requirements of the

- underlying zoning district.
17. The project shall respect the setback requirements of the underlying zoning at the perimeter of the development site.
 18. Exceptions to setback requirements or other development standards shall be mitigated by increased open space.
 19. Preserve the existing street grid, and require streets or driveways of a PDD project to align with streets at the perimeter of the project.

Section 4 – Public Benefit

21. Amend the PDD ordinance to require the provision of public benefit; define what constitutes public benefit, and preclude the project itself from being defined as the major public benefit.
22. A PDD application shall list the public benefits proposed with the project, including additional public open space, affordable housing units, additional public amenities, additional off-site improvements, or similar benefits that are not required as standard development conditions. Items such as roadways, required traffic signals, payment of impact fees, landscape materials, or similar items that are required for all standard developments cannot be counted towards satisfying the public benefit requirement.
23. Modifications to development standards shall not be thought of as “waivers,” but as minor modifications to development standards. Any modification shall be in exchange for desired public benefits specified by the zoning ordinance or General Plan policies.

Section 5 – Other Standards/Requirements

24. Allow density bonuses in accordance with State law through the PDD process for affordable housing units and senior housing units.
25. Use the PDD process for environmentally sensitive parcels to allow for clustering of housing and preservation of open space.

Section 6 – Process Changes

26. Require PDD projects to be reviewed by the Planning Commission in a study session prior to formal submittal.
33. Revise the findings required for a PDD to include: a) general consistency with development standards; b) conformance to the General Plan; c) public benefit; d) major architectural standards with enhanced design requirements; and e) specific development standards.
34. Prior to approving a PDD, the Planning Commission and the City Council shall make findings that the PDD is consistent with the General Plan, that the use is consistent with the proposed underlying zoning, and that any modifications to development standards are offset by the public benefits of the project.
35. Coordinate the expiration of PDD entitlements with any mapping action associated with the project so that both actions expire at the same time.

Section 7 – General Plan Changes

45. Gates around developments should be precluded where it interrupts the grid pattern.

Section 8 – Zoning Code Changes

56. Refine the definition of “open space” and coordinate with definitions for “lot coverage” and “common open space.” Clearly identify where “common open space” is required, versus a percentage of open space that includes the landscaped areas of individual units.

67. Develop increased design standards/requirements for PDD projects.

While many of the recommendations of the Ad Hoc PDD Committee will be addressed by this ordinance, there are still a number of recommendations to be implemented. Based on the work plan approved by the City Council, staff will begin working on the implementation of the following items:

Task: Modify Procedures for Processing PDD Applications

| | | |
|--|----------------------------|----------------------------|
| <i>Description: Revise PDD application forms and administrative processes to align with new PDD regulations and review requirements.</i> | | |
| Recommendations Implemented: #27-32, #38 | Process: Administrative | Start Date: Summer 2018 |

Task: Small-Lot Development Regulations

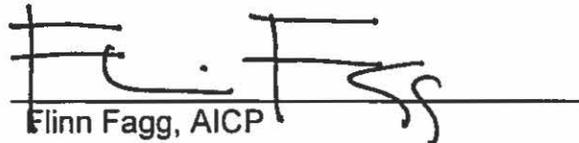
| | | |
|--|-----------------------------------|----------------------------|
| <i>Description: Amend the Zoning Code to include small-lot development standards as an alternative to the PDD application process.</i> | | |
| Recommendations Implemented: #20, #52-54, #60 | Process: Zoning Text Amendment | Start Date: Summer 2018 |

Task: Mixed-Use Development Regulations

| | | |
|--|-----------------------------------|--------------------------|
| <i>Description: Amend the Zoning Code to include mixed-use development standards and regulations as an alternative to the PDD application process.</i> | | |
| Recommendations Implemented: #58, #60 | Process: Zoning Text Amendment | Start Date: Fall 2018 |

ENVIRONMENTAL ANALYSIS:

The proposed Zone Text Amendment is not subject to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) pursuant to Section 15060(c)(2) and 15060(c)(3) of the State Guidelines, because the Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a “project,” as that term is defined in Section 15378 of the State Guidelines.



Flinn Fagg, AICP
Director of Planning Services

ATTACHMENTS:

1. Legislative Draft – PDD Ordinance Revisions.
2. Draft Resolution.
3. Final Recommendations – Ad Hoc PDD Committee.

**Legislative Draft
Planned Development District Ordinance
Case 5.1439 ZTA
July 11, 2018**

94.03.00 Planned Development District (PDD).

- A. Purpose and Intent.** The purpose of planned development districts is as follows:
1. Allow development of multiple land parcels under a single development plan.
 2. Allow a mixture of land uses, housing types, or zones within a single development project.
 3. Allow flexibility in certain development standards, where contextually appropriate.
 4. Provide public benefits not required under the applicable zoning district or other land development codes.
 5. Promote innovation and excellence in site and urban design, resulting in projects of significantly higher quality than would be achieved through conventional design practices and standards, and/or the underlying zoning.
 6. Promote design variety within a development.
 7. Promote open space preservation through municipal dedication or community association ownership.
 8. Promote more efficient traffic and pedestrian circulation.
 9. Promote preservation of natural features or significant historic/architectural features.
- (Implements Recommendations #1 - #9)*

- B. Applicability.** The following regulations and general rules set forth in this section shall apply in a planned development district. A planned development district application is equivalent to a change of zone as specified in Section 94.07.00. A planned development district application may be required to implement the goals, policies and objectives of a specific plan. Development in a planned development district shall be subject to the requirements of this Section and shall conform to the specifications of the preliminary and final development plans as approved.

C. Application and Procedures.

1. **General Requirements.** A planned development district may be established through application of the property owner or his legal representative or the City Council in accordance with the procedures as established in this Section, compliance with the requirements of the California Environmental Quality Act, and the approval of preliminary and

final development plans. The process for approval of a planned development district shall be as follows:

- a. Pre-application Submittal;
- b. Preliminary Development Plan; and
- c. Final Development Plan.

2. Pre-application Submittal Process.

- a. Pre-application Submittal. Prior to submitting a planned development district application, the applicant shall submit a pre-application package in a form as determined by the Director of Planning Services. The pre-application submittal shall include the following:
 - 1) Scaled and dimensioned site plans in a schematic format;
 - 2) Schematic massing diagrams and/or building elevations, showing the overall height of the project;
 - 3) A project justification statement, as outlined in Section (3)(d); and
 - 4) At the discretion of the Director of Planning Services, the applicant may be required to provide preliminary analyses and environmental studies that identify and evaluate environmental constraints on the project site.
- b. Neighbor Outreach Meeting. A Neighbor Outreach Meeting (Outreach Meeting) is intended to engage residents, property owners and interested community members early in the conceptual design of the planned development district and inform the applicant as to what these parties find important in the neighborhood, what they consider compatible with the neighborhood, and what types of land uses they would support to be added to the neighborhood. An assigned City planner shall attend the Outreach Meeting and observe the process. The following is required of the applicant:
 - 1) The applicant shall conduct at least one (1) in-person Outreach Meeting in accordance with the procedures outlined by the Director of Planning Services. Notification of the meeting shall be provided to surrounding residents, property owners, community associations and Neighborhood Organizations.
 - 2) At the Outreach Meeting, the applicant shall, in good faith, provide information to the residents, property owners and community members about the purpose of the meeting, including a presentation on the goals and objectives of the planned development district, the conceptual development plan, and measures taken to ensure compatibility with the existing surrounding neighborhood.

- 3) After completing the Outreach Meeting, the applicant shall prepare an Outreach Meeting report. The report shall include a list of attendees and copies of the materials used during the Outreach Meeting. The applicant shall also include a list of input received from community members, and how and why it was or was not incorporated in the pre-application submittal. The report shall be organized such that issues and ideas provided by the community members are clearly labeled by the applicant in the list and the pre-application submittal.
- 4) In addition to the above Outreach Meeting, the applicant shall, at the request of the City, hold additional meetings after the formal planned development district application is submitted.
- c. Planning Commission Scoping Meeting. Once the requirements of Section (2)(a) and (2)(b) have been completed as determined by staff, the Planning Commission shall review the pre-application submittal materials at a study session. The Commission may provide comments to the applicant, but shall not take any action on the pre-application submittal, nor shall it preliminarily indicate approval, conditional approval or disapproval of the proposed project at this stage.
(Implements Recommendation #26)

3. Preliminary Development Plan. The applicant shall submit a preliminary development plan for review by the Planning Commission and City Council. The following items shall be required in conjunction with the submittal of a preliminary development plan application:
 - a. Plans, Elevations, and Sections. The applicant shall submit a site plan, landscape plan, ~~floor plans,~~ building massing and elevations, and site sections, which shall be provided in schematic form.
 - b. Permitted Uses. The applicant shall provide a list of permitted uses that shall be allowable in the planned development district.
 - c. Development Standards. The applicant shall provide a list of development standards for the proposed planned development district, including but not limited to setback requirements, height limits, lot coverage requirements, open space requirements, parking requirements, permitted accessory structures, and setback requirements for accessory structures and swimming pools. The applicant may also be required to submit architectural design guidelines for projects that are intended to be constructed in multiple phases.
 - d. Project Justification Statement. The applicant shall submit a project justification statement, identifying the following:
 - 1) How the proposed development is superior to that which is permitted by right-of-zone;

- 2) How the proposed application conforms to the purpose of a planned development district as identified in Section 94.03.00(A);
- 3) Which exceptions to the underlying zoning regulations are being requested and why those departures are necessary;
- 4) What recreational or open space amenities are being provided for residents of the development that are not otherwise required by the underlying zoning; and
- 5) How the architectural form and site planning is superior to that which would otherwise result from conformance to the standard zoning district requirements.

(Implements Recommendations #10 - #13)

- e. Outreach Meeting Report. The applicant shall be required to provide a copy of the Outreach Meeting report, as outlined in Section (2)(b), with the preliminary development plan application.
 - f. Public Benefit. The applicant shall identify the public benefit that is being provided in accordance with the requirements of Section 94.03.00(D)(3).
 - g. Concurrent Applications. Any associated applications required for the planned development district, such as a major architectural application, conditional use permit, or subdivision map, may be submitted and processed concurrently with the preliminary development plan application.
5. Preliminary Development Plan—Recommendation by the Planning Commission. The Planning Commission shall hold a public hearing in accordance with the requirements of Section 94.09.00 to review the preliminary development plan for conformance to the requirements of this Section and shall make a recommendation to the City Council. The Planning Commission may recommend approval, approval with conditions, or denial of the application. The Planning Commission shall also make a recommendation to the City Council regarding the sufficiency of the public benefit provided by the applicant.
 6. Preliminary Development Plan – Approval by the City Council. The City Council shall hold a public hearing in accordance with the requirements of Section 94.09.00 to review the preliminary development plan for conformance to the requirements of this Section. Action to approve the plan shall constitute approval of a preliminary planned development district. The preliminary development plan shall, by reference, be incorporated into and become a part of the planned development district.
 7. Final Development Plan—Approval by Planning Commission. The applicant shall submit a final development plan for approval by the Planning Commission. The final plan shall be substantially in conformance with the approved preliminary plan and shall incorporate all modifications

and conditions to the preliminary development plan made by the City Council. Should the final plan propose modifications which are not in substantial conformance with the approved preliminary plan, such plan shall be processed as a new application.

8. Final Development Plan—Appeal of Planning Commission Action. Approval of the final development plan by the Planning Commission shall be final unless appealed to the City Council. The appeal procedure shall be pursuant to Chapter 2.05 of the Palm Springs Municipal Code.
9. Recordation of Final Map. Any final map required for a planned development district shall not be recorded until the Final Development Plan has been approved by the Planning Commission.
10. Designation of Planned Development District on Zoning Map. Each planned development district shall be numbered, the first being shown on the official zoning map as PD(1) and each district subsequently applied for being numbered successively. All planned development districts granted final plan approval and constructed in accordance with the final plan shall be shown on the official zoning map of the city. Designation of a planned development district on the official zoning map shall constitute an amendment of the official zoning map. Planned development districts which are terminated pursuant to this Section shall revert to the previous zoning pursuant to Section 94.03.00(H).

D. Minimum Development Standards and Public Benefit Requirements.

1. Uses Permitted. The Planning Commission and City Council shall find that the proposed uses as shown on the preliminary development plan for the planned development district are in conformity with the required findings and conditions as set forth in this Section, the general plan, and sound community development. Only those uses approved by the Planning Commission and City Council may be permitted in the planned development district. The following types of uses may be permitted in a planned development district:
 - a. Mixed-Use Development. Planned development districts may include a multiplicity of uses; providing, the proposed uses are permitted by the general plan land use designation. The form and type of development on the site boundary shall be compatible with the existing or potential development of the surrounding neighborhoods.
 - b. Housing Uses. Planned development districts may include a multiplicity of housing types, provided the density ~~does not exceed~~ conforms to the overall gross density of the general plan requirements. A planned development district application ~~is not~~

~~intended~~ for a single housing type is prohibited, unless combined with commercial or civic/institutional uses.

- c. Industrial Uses. In industrial zones, a property which combines industrial and service commercial uses may be approved as a planned development district subject to the performance standards of the M-1-P zone to protect the health, safety and welfare of the area. Such planned development districts shall be permitted on a major or secondary thoroughfare as indicated on the general plan street plan or when these uses are integrated into an overall development plan. In both instances the proposed use shall not adversely affect the uses of properties in adjoining areas.
 - d. Civic/Institutional Uses. Additional uses may be permitted in the planned development district including churches, nursery and day schools for pre-school children, civic uses, and other similar uses when these uses are located on a secondary or major thoroughfare as indicated on the general plan street plan or when these uses are integrated into an overall development plan and when in both instances the proposed use would not adversely affect the uses of property in adjoining areas.
 - e. Gaming Uses – Allotted Trust Land. On allotted trust lands of the Agua Caliente Indian Reservation, a property which contains a gaming facility may be approved as a planned development district subject to the objectives and general plan land use section to protect the health, safety and welfare of the area. Such planned development district may include support uses such as resort hotels, restaurants, retail commercial, and entertainment and parking facilities. Such planned development district shall be permitted on a major or secondary thoroughfare as indicated on the general plan street plan or integrated into an overall development plan. In both instances the proposed use shall not adversely affect the uses of adjoining properties.
2. Property Development Standards. The Planning Commission and the City Council shall establish a full range of development standards appropriate to the orderly development of the site, which shall include the following minimum standards:
- a. Building Height. Building heights shall conform to the requirements of the comparable underlying zoning district, or as may be permissible under the General Plan. *(Implements Recommendation #15)*
 - b. Parking Requirements. Parking and loading requirements shall be subject to the requirements of Sections 93.06.00 and 93.07.00, respectively. Reductions in parking requirements may be approved as part of a planned development district application where there is a mixture of uses on the site and such uses may benefit from a shared parking arrangement. A parking study shall be submitted

- for review as part of any request to reduce parking requirements based on a shared parking arrangement.
- c. Setback Requirements. Front yard setbacks compatible with the existing or potential development adjacent and/or opposite from existing development shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to the proposed planned development district. Nonperipheral areas of the planned development district shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the City Council. Exceptions to internal setback requirements or minimum building separation requirements shall be mitigated by increased open space. *(Implements Recommendations #17 & #18)*
 - d. Lot Width. Minimum lot frontage not less than that of existing lots adjacent and/or opposite from existing developments shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to a proposed planned development district. Nonperipheral areas of the planned development district shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the Planning Commission.
 - e. Development Form. The form and type of development on the planned development district site boundary shall be compatible with the existing or potential development of the surrounding parcels.
 - f. Open Space Requirements. Open space for planned districts shall be equal to or greater than the minimum open space requirement for the comparable zone in which the planned development district is located. Recreational areas, drainage facilities and other man-made structures may be considered to meet a part of the open space requirements, where such facilities provide recreational opportunities for residents or are enhanced with landscape treatments that adequately screen the facilities.
 - 1) Natural Features. Protection of natural landscape features such as watercourses, sensitive land area, existing native vegetation, wildlife, unique topographical features, and views shall be required. Open spaces shall be integrated into the overall design of the project.
 - 2) Open Space for Commercial/Industrial Uses. The percentage of open space for commercial, industrial and mixed uses shall be determined by the development plan approved by the City Council, and shall include features such as plazas, pocket parks, or other similar features where feasible.
 - 3) Open Space for Residential Uses. Of the total required open space area, a maximum of 50% may be designated as

private open space. The remainder of the required open space area shall be designated as common open space.

(Implements Recommendations #16, #25, & #56)

- g. Street/Driveway Alignment. Planned development districts shall respect the existing street grid, so that entrances to the development or streets within the development align with the existing street grid at the perimeter of the development. In addition, the planned development district shall conform to the street alignments identified in the Circulation Plan of the General Plan. *(Implements Recommendation #19)*
- h. Density – Affordable Housing. Housing density may be increased in conformance with state and local regulations if the planned development district assists the city in meeting its affordable housing goals as set forth in the housing element of the general plan. *(Implements Recommendation #24)*
- i. Perimeter Landscape Buffer. A ten (10) foot wide landscape buffer area shall be required between any perimeter wall and any abutting public right-of-way.
- k. Pedestrian and Bicycle Access. Pedestrian and bicycle access to the development shall not be gated and shall remain open and accessible. *(The design standards implement Recommendation #67)*

3. Public Benefit.

- a. General. Each application for a planned development district shall require the provision of public benefit in accordance with the requirements of this section. A feature, improvement or dedication shall only be considered as a public benefit when it:
 - 1) Exceeds the exactions which are imposed on all comparable projects, such as right-of-way dedications, minimum open space dedication and amenities, payment of Quimby Act fees, provision of public art, utility undergrounding, and similar requirements; and
 - 2) Exceeds the level of improvement needed to mitigate a development's environmental impacts beyond a level of significance.
- b. Exclusions. The project itself shall not be considered as a public benefit.
- c. Determination of Public Benefit. The public benefit shall be proportional to the number, type and extent of waivers requested as part of the planned development district application. The applicant shall be responsible for identifying the requested waivers and the accompanying public benefit that will be provided. The Planning Commission and the City Council shall review the proposed public benefit for sufficiency and shall specifically identify the public benefit in the conditions of approval for the development.

- d. Types of Public Benefit Required. An approved public benefit shall include one or more of the elements listed below. An element shall only be considered a public benefit where it exceeds the exactions which are imposed on all comparable projects.
- 1) Affordable Housing. The payment of fees to the City's affordable housing fund, construction of affordable housing units on the site, or the construction of off-site affordable housing units.
 - 2) Sustainable Features. Inclusion of features as part of the development which measurably aid achievement of the City's sustainability goals, including enhanced water conservation, greenhouse gas reduction, solar pool heating, active and passive solar systems which exceed State requirements, LEED certification (Silver certification or higher), and other sustainable features.
 - 3) On-site Public Amenities. The provision of on-site amenities which will be available to or benefit the general public such as public parks and plazas, community open space dedication, community meeting rooms, civic facilities, day care facilities, preservation of historic structures, preservation of natural features, or similar amenities.
 - 4) Off-site Improvements. Inclusion of off-site amenities and dedications, including traffic enhancements, traffic calming improvements, bikeways and trails, public park lands, public recreation facilities, construction of decorative medians, or other similar public improvements located off the project site.
(Implements Recommendations #21 - #23)

E. Criteria and Findings – Preliminary Development Plan. The City Council shall not approve a preliminary development plan unless the following findings are made:

1. The uses, density and intensity of the proposed preliminary development plan are in conformance to the general plan land use designation for the site; *(Implements Recommendations #14 & #33)*
2. The uses permitted under the proposed development plan are in conformance to the requirements listed in Section 94.03.00(D)(1), and are not detrimental to adjacent properties or residents; *(Implements Recommendation #34)*
3. The preliminary development plan is in conformance to the property development standards listed in Section 94.03.00(D)(2);
4. The site is adequate in size and shape to accommodate the density and/or intensity of the proposed development;
5. The site for the proposed preliminary development plan has adequate access to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use, and the design for the site enhances or continues the city's existing grid [in](#)

accordance with the Circulation Plan of the City of Palm Springs General Plan;

6. The public benefit provided by the development is commensurate with any waivers or exceptions requested as part of the preliminary development plan; and
7. That the conditions to be imposed and shown on the approved preliminary development plan are necessary to protect the public health, safety and general welfare.

F. Criteria and Findings – Final Development Plan. The Planning Commission shall not approve a final development plan unless the following findings are made:

1. The final development plan is in substantial conformance with the preliminary development plan;
2. The final development plan is in substantial conformance with all other associated entitlements for the development; and
3. The final development plan incorporates all modifications and conditions to the preliminary development plan as approved by the City Council.

G. Modification of a Planned Development District. A planned development district may be modified by submitting a request for such modification to the Department of Planning Services.

1. Minor Modifications. Minor modifications to the approved preliminary development plan or final development plan may be approved by the Director, or may be referred to the Planning Commission for approval at the discretion of the Director. Minor modifications may include any of the following:
 - a. Reduction in the number of units or overall building square footage by no more than 10%;
 - b. Minor adjustments to building footprints or building setbacks, provided conformance is maintained to perimeter setback requirements;
 - c. Minor adjustments to the configuration of parking areas, provided conformance is maintained to parking requirements;
 - d. Minor adjustments to landscape buffer areas or open space areas, provided lot coverage and open space requirements are maintained;
 - e. Adjustments to the approved colors or materials specified for the development, provided such adjustments do not materially impact the visual appearance or aesthetic quality of the development;
 - f. Minor modifications to the list of permitted uses for the planned development district, provided such modifications do not materially change the intent of the planned development district.
2. Major Modifications. Any modification that does not qualify as a minor modification as defined in this Section shall require review in a public

hearing by the Planning Commission and the City Council in accordance with the initial submittal requirements.

H. Termination of Proceedings.

1. Termination of Proceedings – Preliminary Development Plan. If, within two (2) years after the date of approval by the City Council of the preliminary development plan, the final development plan, as indicated in Section 94.03.00(C), has not been approved by the Planning Commission, the procedures and actions which have taken place up to that time shall be null and void and the preliminary planned development district shall expire. Extensions of time may be allowed in accordance with the provisions of Section 94.12.00. The extension of any associated tentative map shall not be extended beyond the term approved for the preliminary development plan. *(Implements Recommendation #35)*
2. Termination of Proceedings – Final Development Plan.
 - a. If the owner or owners of property in the planned development district have not commenced construction within six (6) months from the date of the final development plan as approved by the Planning Commission, the planned development district shall become null and void. The Planning Commission may extend the six (6) month period required for commencing construction in accordance with the application procedures and criteria listed in Section 94.12.00.
 - b. Planned development districts which are approved in conjunction with an approved development agreement shall be subject to the termination requirements of the development agreement.
3. Reversion to Previous Zoning. Any PD which has not started construction within the time constraints of this Section shall revert to the original zoning designation and the planned development district designation shall be removed from the zoning map.

91.00.10 Definitions.

“Affordable Housing” means housing that is affordable to lower income households, as defined in Section 50079.5 of Division 31 of the California Health and Safety Code, and is generally defined to mean households earning up to 80% of the area median income (AMI).

“Lot coverage” means the percentage of lot area covered by all buildings and structures. Swimming pools or any portion of a structure which is open on at least one side and is an extension of the exterior open space, in the opinion of the director of planning services, shall not constitute a building for the purpose of this definition.

“Open Space” means any parcel or area of land or water which is set aside, dedicated, designated, or reserved for public use or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Open space may include natural areas, parks, trails, sidewalks, landscaped medians, swimming pools, recreational facilities, water features, drainage facilities, and similar features and amenities, but shall not include streets, driveways, parking lots, or habitable buildings.

“Open Space, Common” means open space that is designed and intended for the common use or enjoyment by residents, guests, or members of the general public.

“Open Space, Private” means a usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

(The definitions implement Recommendation #56)

93.05.00 Vehicular Access.

E. Controlled Access.

Requests for controlled access to a development shall be reviewed and approved by the Planning Commission. Where controlled access to a development is proposed by the use of guardhouses, gates or other similar controls, the design of such access shall incorporate such features as service and emergency access, on-site turn-around, relevant signing, or other similar features as may be required by the Planning Commission. Controlled access is discouraged where it will interrupt the existing street grid. Controlled access to developments shall only be approved by the Planning Commission where the applicant can establish that the development will be impacted by unauthorized parking from adjacent uses, traffic impacts from adjacent uses beyond the design capacity of the internal streets, or public safety issues.

(Implements Recommendation #45)

Legend:

Underlined text in red represents proposed modifications to the draft ordinance based on comments received at the public hearing of June 27, 2018; ~~stricken text~~ represents language that is to be removed.

Underlined text in black represents proposed modifications to Section 93.05.00 of the Palm Springs Zoning Code.

Recommendations – Ad Hoc PDD Committee

| Suggested Changes to the PDD Ordinance (Section 94.03.00) | | |
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| Purpose of Planned Development Districts | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 1. Allow development of multiple land parcels under a single development plan. | | Forward to the City Council. |
| 2. Allow a mixture of land uses or zones in a single project. | | Forward to the City Council. |
| 3. Allow flexibility in development standards, where contextually appropriate. | | Forward to the City Council. |
| 4. Provide community benefits not required under the applicable zoning district or other land development codes. | | Forward to the City Council. |
| 5. Promote innovation and excellence in site and urban design, resulting in projects of significantly higher quality than would be achieved through conventional design practices and standards. | | Forward to the City Council. |
| 6. Promote design variety within a development. | | Forward to the City Council. |
| 7. Promote open space preservation through municipal dedication or community association ownership. | | Forward to the City Council. |
| 8. Promote more efficient traffic and pedestrian circulation. | | Forward to the City Council. |
| 9. Promote preservation of natural or significant/historic architectural features. | | Forward to the City Council. |
| PDD Project Justification | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 10. Specify why and how the project is better than by right-of-zone, and why the PDD process is desirable for the project. | | Forward to the City Council. |
| 11. Specify exactly which exceptions are being requesting from the underlying zoning regulations and why those departures are necessary. | | Forward to the City Council. |
| 12. A PDD application shall specify the objectives of the project and how they relate to the PDD application. | | Forward to the City Council. |
| 13. Provide recreational facilities for residents of the development not otherwise required under the zoning district or other land development codes. | | Forward to the City Council. |
| PDD General Requirements | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 14. The project shall comply with the land use map and policies as specified by the General Plan. A General Plan amendment shall be filed in conjunction with the PDD application where the proposed project is inconsistent with the existing land use designation of the General Plan. | | Forward to the City Council. |
| 15. The project shall comply with the height of the underlying zoning district, unless otherwise authorized by a specific plan or the General Plan. | | Forward to the City Council. |
| 16. Open space shall meet or exceed the open space requirements of the underlying zoning district. | | Forward to the City Council. |

| Suggested Changes to the PDD Ordinance (Section 94.03.00) | | |
|---|-------------------------------|--|
| 17. The project shall respect the setback requirements of the underlying zoning at the perimeter of the development site. | | Forward to the City Council. |
| 18. Exceptions to setback requirements or other development standards shall be mitigated by increased open space. | | Forward to the City Council. |
| 19. Preserve the existing street grid, and require streets or driveways of a PDD project to align with streets at the perimeter of the project unless contextually inappropriate. | | Forward to the City Council; objection to the phrase <i>"unless contextually inappropriate."</i> |
| 20. Refine the definition of "open space" and coordinate with definitions for "lot coverage" and "common open space." Clearly identify where "common open space" is required, versus a percentage of open space that includes the landscaped areas of individual units. | | Forward to the City Council. |
| Public Benefit | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 21. Amend the PDD ordinance to require the provision of public benefit; define what constitutes public benefit, and preclude the project itself from being defined as the major public benefit. | | Forward to the City Council. |
| 22. A PDD application shall list the public benefits proposed with the project, including additional public open space, affordable housing units, additional public amenities, additional off-site improvements, or similar benefits that are not required as standard development conditions. Items such as roadways, required traffic signals, payment of impact fees, landscape materials, or similar items that are required for all standard developments cannot be counted towards satisfying the public benefit requirement. | | Forward to the City Council. |
| 23. Modifications to development standards shall not be thought of as "waivers," but as minor modifications to development standards. Any modification shall be in exchange for desired public benefits specified by the zoning ordinance or General Plan policies. | | Forward to the City Council; the recommendation should be moved to the "PDD General Requirements" section. |
| Other Standards/Requirements | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 24. Allow density bonuses in accordance with State law through the PDD process for affordable housing units and senior housing units. | | Forward to the City Council. |
| 25. Use the PDD process for environmentally sensitive parcels to allow for clustering of housing and preservation of open space. | | Forward to the City Council, with the notation that this recommendation is included to the extent that the issue is not covered by other ordinances. In addition, the Planning Commission has noted that this recommendation should be included under the "Purpose of Planned Developments" section. |

| Suggested Changes to the Processing of PDD Applications | | |
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| Process Changes | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 26. Require PDD projects to be reviewed by the Planning Commission in a study session prior to formal submittal. | | Forward to the City Council. |
| 27. Planning staff shall identify compliance with the General Plan, development standards for the underlying zoning district, and other land use requirements. | | Forward to the City Council. |
| 28. Staff reports shall detail specifically how proposed projects comply with the General Plan land use designation, policies, and other provisions. | | Forward to the City Council. |
| 29. Staff reports shall detail specifically how proposed projects comply with the underlying zoning district. | | Forward to the City Council. |
| 30. PDD applications that require excessive exceptions to development standards shall be recommended for denial or shall be revised and resubmitted. | | Forward to the City Council. |
| 31. The City Council and Planning Commission need to acknowledge the role of staff as the regulatory gatekeeper, and give staff the authority to enforce the General Plan and development standards. | | Forward to the City Council. |
| 32. PDD applications that do not conform to the General Plan land use designation and policies in terms of use or density shall require the submittal of a General Plan amendment or a Change of Zone application. | | Forward to the City Council. |
| 33. Revise the findings required for a PDD to include: a) general consistency with development standards; b) conformance to the General Plan; c) public benefit; d) major architectural standards with enhanced design requirements; and e) specific development standards. | | Combine the recommendations regarding findings (Recommendations #33 and #34), and forward to the City Council. |
| 34. Prior to approving a PDD, the Planning Commission and the City Council shall make findings that the PDD is consistent with the General Plan, that the use is consistent with the proposed underlying zoning, and that any modifications to development standards are offset by the public benefits of the project. | | Combine the recommendations regarding findings (Recommendations #33 and #34), and forward to the City Council. |
| 35. Coordinate the expiration of PDD entitlements with any mapping action associated with the project so that both actions expire at the same time. | | Forward to the City Council. |
| 36. Allow a PDD to be approved for a period of 3 years; allow no more than (3) one-year extensions. Any extensions shall be timed to expire with any associated tentative tract map or tentative parcel map. | LC | Do not forward to City Council; the recommendation should reflect the same timeframe as the recent Extension of Time ordinance (Case 5.1405 ZTA). |

| Suggested Changes to the Processing of PDD Applications | | |
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| Changes to Meeting Format | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 37. Modify the entitlement process to send applications to the Planning Commission first for land use approval, and then to the Architectural Advisory Committee for architectural review. | | Forward to the City Council, with the comment that Planning Commission should review development standards and conceptual architectural design first, and then forward to the AAC for architectural review. The application would then be returned to the Planning Commission for final architectural review. |
| 38. Keep the public comment period open until after a motion by the Planning Commission; allow a 1-minute public comment period after the motion is made, with comments limited solely to the motion as made. | LC | Forward to the City Council, with a comment that the additional public comment period shall be limited to comments on the motion, and cannot include additional comments on CEQA issues. |

| Suggested Changes to the General Plan | | |
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| General Plan Changes | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 39. Identify areas suitable for small-lot development. | | Forward to the City Council. |
| 40. Study the addition of multifamily housing in areas zoned for shopping centers as a means to encourage affordable housing, and study incentives for density/height and reduced parking for affordable or senior-assisted living facilities within or adjacent to commercial areas. | | Forward to the City Council. |
| 41. Schedule an update to the General Plan. | | Forward to the City Council. |
| 42. Bring the zoning code into conformance <i>and alignment</i> with the General Plan. Clarify that consistency with the General Plan (while not required for Charter Cities) is to be encouraged for adopted General Plan policies. | | Forward to the City Council. |
| 43. Review all sections of the General Plan that mention the PDD process and determine if a zoning ordinance update to a CUP or other permit can handle the issue. | | Forward to the City Council. |
| 44. Language in the General Plan that mandates the use of the PDD process as the entitlement application for certain land uses (such as Mixed Use) should be modified to allow the PDD for new and emerging concepts, but also mandate that the zoning ordinance be updated to cover these new development concepts as quickly as possible. | | Forward to the City Council. |
| 45. Gates around developments should be precluded where it interrupts the grid pattern. Gating of private roads may be considered on a case-by-case basis upon making findings. | LC, KW | Forward to the City Council, with the elimination of the second sentence. The presumption should be against gates, unless there is a compelling argument to provide gates. |

| Suggested Changes to the General Plan | | |
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| General Plan Changes | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 46. Study the lower threshold of the higher density residential General Plan categories. | | Forward to the City Council. |
| 47. Carefully define “mixed-use and multi-use,” and specify if it must include commercial and residential uses on the development site. Establish a residential bonus for true mixed-use development. | | Forward to the City Council. |
| 48. Determine which development standards in zoning cannot be modified with a PDD application, and move such standards to the General Plan. | | Forward to the City Council. |
| 49. Prepare a zoning/General Plan consistency map that could point to rezoning of inconsistent properties. | | Forward to the City Council. |
| 50. Establish where bonuses may be appropriate for affordable housing, provision of public parking, provision of additional open space, etc. | | Forward to the City Council. |
| 51. Establish goals and policies for the reuse or redevelopment of existing golf course facilities. | | Forward to the City Council. |

| Suggested Changes to the Zoning Ordinance | | |
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| Zoning Code Changes | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 52. Establish standards for small-lot development in place of utilizing the PDD process. Consider small-lot development in the R-2 and R-3 zones as may be appropriate, based on density. | | Forward to the City Council. |
| 53. For small-lot development, require an average of 5,000 SF lot area or provide common open space. | | Forward to the City Council; clarify that the intent is to maintain an effective lot size of 5,000 square feet and provide common open space. |
| 54. In the RGA-6/8 and R-2 zones, change the default single-family standards from R-1-C to the proposed small-lot standards. | | Forward to the City Council. |
| 55. Establish development standards for the reuse of existing golf courses facilities that incorporate best practices from other jurisdictions. | | Forward to the City Council. |
| 56. Refine the definition of “open space” and coordinate with definitions for “lot coverage” and “common open space.” Clearly identify where “common open space” is required, versus a percentage of open space that includes the landscaped areas of individual units. | | Forward to the City Council. |
| 57. Establish a maximum height limit by zoning district; consider the elimination or modification of the High-Rise Ordinance after review of permitted heights in all zoning districts. If the High-Rise Ordinance is retained, consider different standards for different areas of the city, based on context. | | Forward to the City Council. |
| 58. Modify the zoning code to allow mixed-use development by right, and establish development standards for mixed-use projects. | | Forward to the City Council. |

| Suggested Changes to the Zoning Ordinance | | |
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| Zoning Code Changes | Dissenting Opinion(s): | Planning Commission Recommendation/Comments |
| 59. Rezone land not currently zoned for residential use (such as unbuilt or underutilized commercial land) to include cluster or multifamily uses to make up for increasing small-lot development. | | Forward to the City Council. |
| 60. Create new zones to accommodate the types of development actually being built (example: small-lot residential zone). | | Forward to the City Council, with the comment that the zoning code should be amended to accommodate new development types, instead of relying on the PDD process. |
| 61. Remove language in the zoning code that specifically allows the City Council to approve modifications of development standards. | | Forward to the City Council, with the direction to first identify the citations in the zoning code which grant the City Council authority to waive development standards. |
| 62. Add appropriate development standards in the zoning code for institutional uses, religious uses, properties split by zoning, and mixed-use development, so that these uses can be built by right rather than relying on the PDD process. | | Forward to the City Council. |
| 63. Review all sections of the General Plan that mention the PDD process and determine if a zoning ordinance update to a CUP or other permit can handle the issue. | | Forward to the City Council. |
| 64. Consider more/other ways to create flexibility in standards (such as the CUP process) to achieve better design, etc. | | Forward to the City Council. |
| 65. Consider standards to address grading of hillside parcels or parcels with significant slopes. | | Forward to the City Council, with the comment to remove the term “significant” and to recommend that grading standards be adopted for hillside development. |
| 66. Develop standards to address shading and mitigation of solar impacts. | | Forward to the City Council. |
| 67. Develop increased design standards/requirements for PDD projects. | | Forward to the City Council; the recommendation should be added under the “PDD General Requirements” section. |

Legend: Text in **red font** reflects the recommendations of the Planning Commission.

Dissenting Opinion: SB – Scott Bigbie
 LC = Lyn Calerdine
 TC = Tracy Conrad
 JH = James Harlan
 MJ = Michael Johnston
 MR = Marvin Roos
 KW = Kathy Weremiuk

Planning Commission Regular

A.

Meeting Date: 09/12/2018

Subject

DISCUSSION ON A ZONE TEXT AMENDMENT TO ESTABLISH A CITYWIDE ORDINANCE FOR THE TRANSFER OF DEVELOPMENT RIGHTS (CASE NO. 5.1450 ZTA) (DN)

RECOMMENDATION: Direct staff to prepare a public hearing notice and schedule the ordinance at a special meeting on October 3, 2018.

Attachments

ZTA TDR Ordinance



CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING SERVICES
MEMORANDUM

Date: September 12, 2018
To: Planning Commission
From: Department of Planning Services *DN*
Subject: Agenda Item #4A
Case 5.1450 ZTA – Transfer of Development Rights

Staff continues to work on the proposed Transfer of Development Rights ordinance in conjunction with the Ad hoc Planning Commission Subcommittee. A full staff report and draft ordinance will be prepared and ready for the Special Meeting of the Planning Commission scheduled for October 3, 2018.